Open Citizen Comment Procedure

1) Public Hearings – Any citizen is allowed to ask questions and/or make comments during any public hearing scheduled for a particular issue.

2) “Citizen Communication” – Public comment can be provided on any item on the agenda or on issues affecting the City not on the agenda. Public comments should generally be limited to 3-5 minutes. Citizens are encouraged (but not required) to contact City Administration one week prior to the meeting, preferably in writing, to be placed on the agenda. Doing so provides Council an opportunity to give consideration to the issue/comment.

COUNCIL PRAYER
Ministerial Alliance

Rolla City Council Meeting
Monday, November 19, 2018
901 North Elm Street
City Hall Council Chambers
6:30 P.M.

PLEDGE OF ALLEGIANCE
Councilman Jim Williams

I. PUBLIC HEARINGS
A) Ordinance Amending Article III of Chapter 42 of the Code Pertaining to the Permitting of Temporary and Portable Signage - (City Planner James Shields) – First Reading

II. SPECIAL PRESENTATIONS
A) Mr. Jonathan Ahl, Local Reporter from St. Louis Public Radio
B) Rolla Regional Economic Commission (RREC) Report - (RREC Executive Director Cyndra Lorey)
C) Rolla Municipal Utilities (RMU) FY 2018 Fourth Quarter Report – (RMU General Manager Rodney Bourne)

III. OLD BUSINESS
A) Ordinance Approving the Final Plat of St. Maria’s Tatandra – (City Planner James Shields) – Final Reading

IV. NEW BUSINESS
A) Ordinance Consolidating Lots 2, 3 and Part of 6, Block 5, Newman’s Addition (aka 300/302 Rhodes Avenue & 203 South Olive Street) into Two Lots (Thoennes Addition) – (City Planner James Shields) – First Reading
B) Resolution Authorizing the Mayor to Enter into Two Agreements with the South Central Drug Task Force – (Police Chief Sean Fagan) - Motion
C) Motion Approving Annexation of Property located in Shady Oaks Sewer District – (Public Works Director Steve Hargis) – Motion

V. CLAIMS and/or FISCAL TRANSACTIONS
A) Motion Awarding Bid for One 10 Cubic-Yard Refuse Truck – (Environmental Services Director Brady Wilson) – Motion
B) Motion Awarding Bid for One 20 Cubic-Yard Refuse Truck – (Environmental Services Director Brady Wilson) – Motion
C) Motion Awarding Bid for One Roll-Off Hoist Truck – (Environmental Services Director Brady Wilson) – Motion
D) Motion Awarding Bid for Buehler Park Restroom – (Parks & Recreation Director Floyd Jernigan) - Motion
VI. **MAYOR/CITY COUNCIL COMMENTS**
   A) 2018 Small Business Saturday Proclamation
   B) **Motion** Appointing Ms. Alex Blackwell to the Rolla Regional Economic Commission (RREC) to Replace Mr. Robert Tessaro – **Motion**

VII. **CITIZEN COMMUNICATION**
   A) Open Citizen Communication

VIII. **COMMENTS FOR THE GOOD OF THE ORDER**

IX. **CLOSED SESSION**
   A) Pursuant to RSMo. 610.021, the Council will discuss the following in Closed Session:
      1) Legal Product

X. **ADJOURNMENT**
CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT: Community Development ACTION REQUESTED: Public Hearing/First Reading

SUBJECT: A request for the City of Rolla to amend Article III of Chapter 42, which is known as the Rolla Planning and Zoning Code, by deleting and adding language to Division 18 of said article, which is known as Signs, for the particular purpose of permitting temporary and portable signage.

(Sign Ordinance)

MEETING DATE: 11-19-2018

GENERALENFORMATLON:
CASE NUMBER: TXT18-07 LEGAL AD DATE: 10-27-2018

BACKGROUND:
PROJECT DESCRIPTION: At the City Council meeting On July 16, 2018, six local business owners and the executive director of the Rolla Area Chamber of Commerce, who spoke on behalf of several business owners in attendance, spoke to the fact that temporary signage should be permitted. The process of drafting new temporary sign provisions began about two weeks later (See Fig. 1 for current code, Fig. 2 for new code, and Fig. 3 for sign type examples). In September, members of the Community Development Department and the City Administrator met with five business owners, a representative of business owners, and one local real estate agent to discuss the most recent draft of a new sign ordinance. While there were some concerns about temporary off-premises signage in residential areas, most of the group were satisfied with the provisions in the latest draft that pertained to the type, size, and duration of temporary signage permitted. However, this new ordinance goes beyond permitting temporary signage. It also attempts to protect the first amendment rights of the citizens of Rolla in light of a recent Supreme Court decision that is discussed below.

PUBLIC PURPOSE & CASE LAW: Traffic safety and aesthetics are the two public purposes that have been held as valid reasons to regulate signage. However, sign regulations are susceptible to claims of violations of the free speech clause of the First Amendment of the U.S. Constitution. When such claims involve noncommercial speech, the courts analyze such claims with strict scrutiny, a type of scrutiny that is difficult to survive. Strict scrutiny requires the government to show there is a compelling state interest behind the regulation, that the regulation is narrowly tailored (i.e. not too broad), and the least restrictive means of regulation were being used. As discussed in the different opinions of the U.S. Supreme Court case of Reed V. the Town of Gilbert, “Speech regulation is content based if a law applies to particular speech because of the topic discussed or the idea or message expressed”. In addition, the majority opinion of Reed states that “laws favoring some speakers over others demand strict scrutiny when the legislature's speaker preference reflects a content preference”. For these reasons, a sign ordinance should be content-neutral, which includes refraining from discriminating between speakers. A content-neutral code will regulate the time, place, and manner in which a sign is posted, not its message. In a concurring opinion of Reed, a non-exhaustive list of ways in which signs can be regulated was submitted. Such permitted distinctions include off-premises v. on-premises, freestanding v. attached, illuminated v. unilluminated, and placement on commercial v. residential properties. Lastly, even
if a code strictly uses time, place, and manner restrictions, it still must be “narrowly tailored to serve the government’s legitimate, content-neutral interests” (Reed).

**ANALYSIS:**

**EXISTING TEMPORARY SIGN REGULATIONS:** Division 19 of the Rolla Planning and Zoning Code (the Code) bans all temporary and portable signs except for those that are listed as exempt. Exemptions are known to be the area of a sign code that are often found to be content-based and undermine the aesthetic purpose of the code. In regards to temporary/portable signage, the current exemptions listed are “banner signs” (limited to 30 days per four months and messaging that is not considered to be an “official flag”, as those are fully exempt), “political signs” (limited to 14 days after an election, but not limited to any time before the election), “real estate/lessee/construction signs” (restricted to only residential zones, an area of six or 34 sq. ft., and obligated to be removed within 14 days of a sale date or 30 days of construction completion date), “residential garage, estate, or public auction sale signs”, and signs “advertising drives or events of a charitable, educational, or religious nature” (restricted to six sq. ft. and a posting time period that correlated with the duration of the event and no more than 30 days a year). In Reed, the Town of Gilbert exempted three different types of noncommercial temporary signs, directional, political, and ideological, each with its own size limits and time limits. Based on that fact, this ordinance was found facially unconstitutional. With all this considered, one can see why Rolla’s sign provisions are problematic as currently written and needed to be rewritten.

**SIGN REGULATIONS, RESIDENTIAL:** Only minor changes to number and area requirements were made to signs in residential zones. The Code, as of today, indicates that in addition to address numbers and nameplates, which are exempt up to a certain size and number, all multi-family or commercial properties within residential zones are permitted one detached sign (limited to 60 sq. ft.) and one attached sign (limited to two sq. ft. per lineal ft. of wall length). New Code permits any use/structure not considered a single-family house or duplex located in residential zones one pole/ground sign per entrance/exit and one wall sign per building (any permanent sign is limited to 64 SF). The new Code permits all residentially zoned properties an unlimited number of year-round temporary signs, as long as all signs together equate to 24 SF of area or less and are less than six feet in height. This method of ensuring people’s rights to free expression is recommended by experts, but is usually less liberal (typ. unlimited number if no sign is more than three SF). Altogether, these provisions were added, in part, to ensure free speech opportunities are provided at any given time of the year and to accommodate unique periods in history that encourage people to speak more than other times (e.g. political seasons, social movements) while still attempting to protect the aesthetic quality of residential areas. In addition, only temporary freestanding signs are permitted in residential districts (signs that are considered more aesthetically degrading are not permitted, such as inflatable signs/feather banners). All permanent signage in all zones is required to be on-premises signage, except that off-premise signage may be posted for no more than 14 days in any given quarter of a year. Lastly, any of the 24 SF of temporary signage for one- and two-family residences can be substituted with permanent wall, ground, or pole signs.

**SIGN REGULATIONS, NONRESIDENTIAL:** Except for permitting corner lots to have two detached signs without the requirement of 500 feet separation, the size and number of permanent signs permitted in nonresidential districts did not change with the proposed revisions. However, the new Code permits Electronic Message Center (EMC) signs in nonresidential signs without
restrictions, except that it cannot flash, or play full motion video or film display, or be within 100 feet of a residential district. This was done because research has shown no correlation between EMC signs and traffic accidents. In addition, the new Code permits permanent mechanical movement and revolving signs in zones of C-2 and higher and permits roof signs in C-3 and C-C zoning districts. We permitted these three types of signs, in part, because they should not be any more distracting than electronic signage and large amounts of temporary signage. In addition to these permanent sign provisions, we permitted each tenant space within a nonresidential zoning districts two temporary signs at any given time, unless the tenant space is locating a balloon sign or inflatable sign on the premises, in which case, they are only permitted that one temporary sign. This was done, in part, because inflatable signs and balloon signs can be very large and presumably are potentially more distracting (we permit these types to be up to 75 SF in size and 24 ft. high).

PUBLIC PURPOSE OF CODE: The current sign Code is permits a liberal amount of sign copy area for nonresidential areas, which enables businesses to have large enough letter height to make signs legible from a safe distance. However, no mechanisms exist to control the legibility, size, placement, and height of signs in a way that directly promotes traffic safety in way that is science-based. However, by adding temporary signage to the very liberal amount of permanent signage already permitted increases visual stimuli, which is related to delayed detection times, and degrades the aesthetic quality of the city. Apart from the idea that liberal sign regulations promote a thriving business community that could result in the protection of the tax base, without science-based controls on signage (e.g. copy area and speed limit area associated), the extent to which Rolla’s current/proposed sign regulations promote valid public purposes is limited to limiting the aesthetic degradation and amount of visual stimuli that excessive signage may cause by limiting the amount and height of signage, which could promote traffic safety and aesthetics. In addition, the liberal amounts of copy area permitted does not restrict legibility, which could also promote traffic safety. Lastly, while constitutionality is mandatory for any law, the new Code protects people’s freedom of speech.

PUBLIC & INTERNAL COMMENTS: No protest petitions or official comments have been filed to this department. The City did meet with business owners at two different meetings.

ACTION REQUIRED: By a six to two vote, the Planning & Zoning Commission recommended that the City Council deny this proposal. This recommendation was given because off-premised real estate signs were only permitted for a limited time in residential areas, complaint-driven enforcement is an insufficient method of enforcement, and too many "grey areas". The action required from the City Council is to conduct the public hearing of and the first reading on the City of Rolla’s request to amend sign regulations of Rolla’s Planning and Zoning Code.
DIVISION 18. SIGNS.

Sec. 42-244. Purpose of Sign Regulations.

The purposes of these sign regulations are: (1) to encourage the effective use of signs as a means of communication in Rolla; (2) to maintain and enhance the aesthetic environment and the City's ability to attract sources of economic development and growth; (3) to promote pedestrian and traffic safety; (4) to minimize the possible adverse effect of signs on the enjoyment and economic value of nearby public or private property; (5) and to enable the fair and consistent enforcement of these restrictions. (Ord. 3414)

Sec. 42-244.1. Definitions.

a. Animation: Any action or motion other than flashing lights and automatic changeable copy in an attempt to develop a pictorial scene through the movement of lights or parts of a sign.

b. Attached Sign: Any sign substantially and permanently attached to, applied on, structurally connected to, painted on, or supported by, any part of a building.

c. Copy: The letters, figures, characters, representations, pictures or wording on a sign, including any identification, description, symbol, trademark, object, design, logo, illustration, or device illuminated or non illuminated which directs attention to a product, service, place, activity, person, institution, business, or solicitation, including any permanently installed or situated merchandise; or any emblem or painting designed to advertise, communicate, identify, or convey information.


e. Detached Sign: Any freestanding sign, and including any inoperable vehicle or any trailer located for the primary purpose of advertising.

f. Directional Sign: An on-premise informational sign.
g. Effective Area: The effective area of a sign shall be computed from the area enclosed by the perimeter upon which sign copy are placed, except that when individual letters, numbers, logo, etc. are mounted individually and directly upon a building surface without a change in color or appearance of the surface background, the effective area of the sign shall be deemed to be the rectangle or other geometric form that encompasses the letters, numbers, logo, etc. One (1) face of a double-sided sign shall be used to determine effective area.

h. Freestanding Signs: A sign supported permanently upon the ground by poles or columns installed in the ground or mechanically fastened or welded to a foundation installed in the ground and are independent from any building or other structure. All freestanding signs, supports, and foundations shall be designed to withstand all required loads imposed at any point upon the sign.

i. Internally Illuminated Signs: Signs where the source of the illumination is inside the sign and light emanates through the message of the sign, rather than reflected off the surface of the sign from an external source.

j. Off-Premise Sign: Any sign intended or used to advertise or inform the public of uses, goods, services offered off the premises where the sign is located.

k. On-Premise Sign: Any sign designating the name of the owner or occupant of the premises upon which the sign is placed, or identifying such premises; or advertising goods manufactured or produced or services rendered on or listing the sale or lease of, the premises upon which the entire sign is located.

l. Permanent Sign: Any sign that is not a portable or a temporary sign. Permanent signs may be freestanding (detached) or attached to a building or other structure.

m. Portable Sign: Any sign not permanently attached to the ground or to a permanent structure or building; or a sign designed to be transported or moved by lifting, hoisting, or hauling. This definition includes portable signs that are designed to be transported by means of wheels; signs converted to "A" or "T" frames, menu or sandwich board signs; balloons and other inflatable objects used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said signs are exempt vehicular signs, as defined herein.

n. Street Frontage: The distance for which a lot line adjoins a public street right-of-way, from one lot line intersecting the right-of-way to the furthest distant lot line intersecting the same right-of-way.

o. Temporary Sign: A sign that meets the definition of a portable sign, as defined herein.

(Ord. 3414; Ord. 3542, §1; Ord. 3566, §4; Ord. 3611, §8)
Sec. 42-244.2. Exempt Signs.

The following signs shall not require the issuance of a sign permit, but must conform to other City codes. These signs are allowed in addition to all other signs allowed under this Article.

a. Address Numbers and Name Plates: Address numbers for each residential and business building shall not exceed one (1) square foot in effective area per character, and one (1) name plate not exceeding two (2) square feet in effective area per dwelling unit or business.

b. Banner Sign: A sign of lightweight, flexible fabric or similar material that is attached to a structure or building at one or more edges. National, state, and municipal flags, or the official flag of any other public or private entity, shall not be considered as banners. Banner signs may not be posted for more than thirty (30) days per four (4) month period per premise. (Ord. 3566, §5; Ord. 3611, §9)

c. Directional Signs: Detached on-premise directional signs that do not exceed five (5) square feet in effective area. No part of the sign shall exceed four (4) feet in height above finished grade, excluding berms or other landscaping features.

d. Flags: Any lightweight fabric, bunting, or similar highly flexible material containing the distinctive colors, patterns, or designs used as a symbol of any government, political subdivision, or other public or private entity. (Ord. 3611, §9)

e. Temporary Displays: Non commercial signs, flags, banners, or other materials displayed in conjunction with traditionally accepted patriotic, religious, or seasonal celebrations, holidays, community events, or charitable drives. (Ord. 3611, §9)

f. Government Signs: Any sign erected or maintained by or for any agency of government pursuant to and in discharge of any government function or required or authorized by law, ordinance, or governmental regulations.

g. Political Signs: Temporary political signs announcing the candidates seeking public office and other pertinent information. Political signs shall be removed within fourteen (14) days following a general election.

h. Internal Signs: Any on premise sign located entirely within a building. (Ord. 3611, §9)

i. Neighborhood Identification or Monument Sign: A detached sign, masonry wall, wooden support, landscaping or similar material or
features which, when combined, form a display for neighborhood or tract identification consisting of the neighborhood, subdivision, tract, or historic district name. (Ord. 4068, §2)

j. Real Estate Sale, Lessee and Construction Signs: A detached or attached non illuminated temporary on-premise sign pertaining to the construction, sale, or lease of that premise, not to exceed thirty-four (34) square feet in effective area in the Rural Residential District or commercial or industrial zones and not to exceed six (6) square feet in effective area in other residential zones. Real estate, lessee and construction signs shall be removed within fourteen (14) days after closing of the sale or lease or within thirty (30) days after the completion of construction.

k. Vehicular Signs: Any permanently attached vehicular sign advertising a business which regularly uses the vehicle for transportation off-premise and is licensed by the State of Missouri for current operation.

l. Inflatable Display Objects: (Repealed by Ord. 3542, §2).

m. Miscellaneous Exempt Signs:

   a. Signs located on machinery or equipment which are necessary and customary to a business, such as gasoline pumps or vending machines.
   b. Temporary residential garage, estate, or public auction sale signs.
   c. Signs used as part of a public bench provided it does not interfere with driver vision or pedestrian movement.
   d. Signs on facilities located in public places that provide information that is incidental to a sponsored activity, such as a scoreboard or time clock.
   e. Building memorial signs or tablets reflecting building names, construction dates, and other relevant information when cut into any masonry surface, cast in metal, or constructed of other non-combustible material.
   f. On-premise attached bulletin boards no more than thirty-four (34) square feet in area for public, not-for-profit, or religious institutions. Such signs may only be internally illuminated.
   g. Temporary attached or detached signs not exceeding six (6) square feet in effective area advertising drives or events of a charitable, educational, or religious nature, provided that such sign shall be posted only during the drive or event for no more than thirty (30) days per year.
   h. Historic landmark signs attached to any locally or nationally designated historic site, landmark or used to identify an historic district.
   i. Lettering painted on a window or door of a business; and window signs located inside a building, excluding flashing or animated illuminated signs.
   j. Private parking signs not to exceed three (3) square feet in effective area.
k. Handicapped parking space signs not exceeding two (2) square feet in areas reserving parking for handicapped persons. (Ord. 4068, §2)

l. Public viewable artwork that does not include any commercial message or reference, such as murals or sculptures. (Ord. 4068, §2)

(Ord. 3414; Ord. 3542, §2; Ord. 3566, §5; Ord. 3611, §9)

Sec. 42-244.3. Exempt Operations.

The following operations shall not require the issuance of a sign permit:

a. Changing the copy on an existing permitted sign which is specifically designed for the use of manually or automatically changeable copy, including billboard panels and posters; but not including changes in the structure, size, placement, or location of the sign, and

b. Maintenance, including repainting, cleaning, or other normal repair of an existing sign not involving structural changes in size, location, or placement. (Ord. 3414)

Sec. 42-244.4. General Sign Provisions.

a. Except where a building is located within the "CC" Center City District, no private sign shall be allowed to be located within or projecting over any public property. In the Center City District signs, whether attached or detached, shall not project beyond a vertical plane two (2) feet from the curb line and the bottom of said sign shall not be less than ten (10) feet above the highest level of the ground under the sign's lowest point

b. The following signs are prohibited, which:
   1. Employ flashing or animated features;
   2. Employ any searchlights or strobe lights;
   3. May be confused with or construed as a traffic control sign, signal, or device, or the light of an emergency vehicle or road equipment by reason of their size, location, movement, content, coloring, or manner of illumination; and
4. Shield from view any traffic control device, sign, signal or other government sign.

c. Illuminated signs shall be designed, located, and constructed to reduce glare and shall not be placed to permit focused light to be directed or beamed upon a public right-of-way, so as to cause a traffic hazard, or adjacent premises not under the same ownership and control, so as to create a nuisance.

d. All signs, together with their supports, braces, connections, or anchors shall be kept in good repair. Unsafe signs, damaged, or deteriorated signs, or signs in danger of breaking apart or falling shall be removed or repaired by their owner upon written notice by the City.

e. Signs may be erected near the intersection of two (2) streets or a driveway/street intersection provided the location of such sign does not create a sight distance problem by obstructing the vision of motorists or pedestrians. The City Engineer shall make this determination.

f. If required, an application to erect an on-premise sign shall be accompanied by a Sign Plan. Sign Plans shall be consistent with the requirements specified in Section 42-244.8(d). Plans Required. (Ord. 3414; Ord. 3493, §9)

g. Setbacks for on and off-premise detached signs shall be located within the setbacks established for buildings and structures in accordance with their respective residential, commercial, or industrial zoning district standards. The minimum front and rear yard setback shall be ten (10) feet – five (5) feet for side yards. Setbacks for detached signs shall be measured from the property line to the edge of the vertical support structure for the sign. (Ord. 4068, §3)

h. Electronic Message Center Signs (EMCS) (See Section 42-244.10) are not permitted for use in any residential zoning district. (Ord. 4068, §3)

Sec. 42-244.5. Provisions for Residential Zoning Districts.

a. General Provisions: Only on-premise signs are permitted. Signs may be internally illuminated.

b. Detached Signs: One (1) detached sign shall be allowed for each premise containing either a multi-family use (three (3) or more units) or a permitted non-residential use. No detached sign shall exceed sixty (60) square feet in effective area or fifteen (15) feet in height above grade, as measured from the highest part of the sign, excluding supports.
c. Attached Signs: One (1) attached sign shall be allowed for each premise containing a multi-family use or a permitted nonresidential use. The total effective area shall not exceed two (2) square feet of effective area per lineal foot of wall length upon which the sign shall be mounted. Attached signs shall not extend above the roof line or beyond the wall edge of the building. (Ord. 3414)

Sec. 42-244.6. Provisions for Signs in Non-Residential Zoning Districts.

a. General Provisions: No sign shall be permitted within twenty-five (25) feet of a residential zoning district boundary line.
b. Signs permitted in "C-O" and "C-1" Districts:
   1. Only on-premise detached and attached signs shall be permitted. Illuminated signs must be internally lit.
   2. Permanently attached flush mounted wall signs may be used. The effective sign area available for a single premise shall be limited to two (2) square feet of effective sign area for each lineal foot of building frontage facing a street. In no case shall an attached wall mounted sign project above the roof line or beyond a wall edge. Flush mounted wall signs shall not extend further than eighteen (18) inches.
   3. Projecting signs shall have a minimum clearance of ten (10) feet above grade as measured from the lowest part of the sign and shall not exceed twenty (20) square feet in effective area
   4. A premise shall be permitted one (1) detached sign. The sign shall be limited to a maximum effective area of one hundred (100) square feet and shall be limited to a maximum height of twenty (20) feet as measured from the highest part of the sign, excluding supports.

c. On-premise signs permitted in any "C-2, C-3, CC, M-1, or M-2" District:
   1. All on-premise signs permitted in the preceding Section, except that a limit of four (4) square feet of effective area shall be permitted for each lineal foot of building frontage facing a street.
   2. On-premise signs may be externally or internally illuminated.
   3. Detached on-premise signs may have one (1) surface containing copy in each direction. The maximum effective area shall be four hundred (400) square feet.
4. A premise shall be permitted to use up to two (2) detached signs, provided that the signs shall be separated by a minimum spacing of at least five-hundred (500) feet on the same side of the street between all other off-premise or on premise detached signs and are prohibited within one hundred twenty-five feet (125) of any residential zone. Premises may use detached, internally illuminated, menu board signs that do not front on a public right-of-way in addition to other exempt or permitted detached signs.

5. All detached signs shall be limited to a maximum height of forty (40) feet as measured from the highest part of the sign, excluding supports.

(Ord. 3414)

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Sec. 42-244.7. Temporary Portable Signs.

a. All temporary portable non-exempt signs are prohibited. The owner(s) of the premise where any temporary portable sign is located or displayed made non-conforming as a result of the adoption of this ordinance shall have sixty (60) days following the said adoption to comply with the provisions of the Planning and Zoning Code, as per the provisions of Section 42-244.9 (g). Non-Conforming Signs. (Ord. 3611, §10)

b. No temporary portable sign may be located in any parking stall, driveway, or in any required landscaping area. Temporary portable signs may not be attached to any light pole, tree, telephone pole, column, or other structure, excluding signs placed in windows.

c. In the event a permanent sign is substantially damaged through fire, flood, act of God, insurrection or similar emergency beyond the control of the business owner or occupant, a temporary portable sign shall be allowed for a period of time not to exceed ninety (90) days. (Ord. 3414; Ord. 3542, §3; Ord. 3611, §10)

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Sec. 42-244.8. Outdoor Advertising Structures (Off-premise Billboards).
Outdoor advertising structures, off-premise billboards, shall comply with all the requirements of this Section and shall only be permitted upon property having frontage on either Interstate 44, Highway 63, or Business Loop 44 and zoned C-3, M-1, or M-2. Within areas zoned Planned Unit Development District, or property in any District upon which a conditional use permit has been issued in the above mentioned corridors, such advertising structures shall only be permitted when specifically authorized upon the final development plan or permit approval. (Ord. 3414)

a. (a) Area, Height, Location - I-44:
   1. The maximum height of a billboard along Interstate 44 shall not exceed forty-five (45) feet from the highest point on the sign above the natural grade at the base of the sign or the adjacent street grade, whichever is higher. No part of structure shall extend below fifteen (15) feet.
   2. The maximum surface area along Interstate 44 shall be six hundred seventy two (672) square feet with a maximum sign height of 20 feet and a maximum sign width of forty eight (48) feet. The sign shall be limited to two signs in each direction with one message per sign. In no case will the total sign surface in any one direction exceed six hundred seventy two (672) square feet.
   3. Sign spacing along I-44 shall be five hundred (500) lineal feet per side.

b. Area, Height, Location - Hwy. 63 and Business Loop-44:
   1. The maximum height of a billboard along Highway 63 and Business Loop 44 shall be thirty (30) feet above the natural grade at the base of the sign or the adjacent street grade whichever is higher.
   2. The maximum surface area of a billboard along Highway 63 and Business Loop 44 shall be one-hundred ninety-two (192) square feet surface on each side with a maximum sign height of twelve (12) feet and a maximum sign width of twenty four (24) feet. No part of structure shall extend below fifteen (15) feet.
   3. Sign spacing along Highway 63 and Business Loop-44 shall be one thousand (1000) lineal feet per side.
   4. Billboards along Business Loop 44 and Highway 63 shall not exceed two sign surfaces, one surface in each direction, with one hundred ninety two (192) square feet surface on each side and not more than two (2) advertising faces on each side.
   5. No sign shall be located within one thousand (1000) feet of a residential zoning district.
   6. The minimum front yard setback for such signs shall be fifteen (15) feet from any public right-of-way, and/or private roadway
easement. The maximum setback for such sign shall be fifty (50) feet from the public right of way.

c. Restrictions for all highways:

1. External lighting of billboards, such as floodlights, thin line and goose-neck reflectors are permitted, provided the light source is directed upon the face of the sign and is effectively shielded so as to prevent beams or rays of light from being directed toward any residential structure or into any portion of the main traveled way. The lights should not be of such intensity so as to interfere with the residential use of property or to cause glare, impair the vision of the driver of a motor vehicle, or otherwise interfere with a driver's operation of a motor vehicle.

2. No such sign shall be located in such a manner as to obstruct or otherwise interfere with the effectiveness of an official traffic sign, signal, or device or obstruct or physically interfere with a motor vehicle operator's view of approaching, merging, or intersecting traffic.

3. No part of any billboard shall be located on any public street or private utility easement, drainage easement, or railroad right-of-way.

4. All lineal distances required by this section shall be measured from the nearest outside edge of the subject sign, whether a support, structural member, or the sign surface itself, to the nearest outside edge of the corresponding sign, building, right-of-way, or easement involved.

d. Plans Required: An application to erect such a sign shall include the following:

1. A set of plans, to scale, approved and sealed by a licensed engineer, providing all necessary construction and electrical details of the sign and sign structure, including height.

2. A Sign Plan, to scale containing:
   i. The proposed location of the sign on the property.
   ii. The distance from the proposed sign location to any buildings upon the property, and adjoining street right-of-way lines, and driveway entrances.
   iii. In conditional use areas, the distance from the proposed sign location to the next nearest billboard sign within one hundred (100) feet on either side of the street in either direction.
   iv. The distance from the proposed sign location to the nearest street intersection in either direction.
   v. Other information deemed necessary by city officials.

3. A representation of the proposed sign, to scale, including the width and length of the sign faces, and height from surrounding grade.
4. Construction Specifications: Any sign erected under this Article shall be a single pedestal type, constructed of non-flammable material, excluding wood. Construction of the sign and material specifications shall meet the structural requirements of the City’s Building Code.

(Ord. 3414)

Sec. 42-244.9. Non-Conforming Signs.

a. All nonconforming attached and detached on-premise signs, including such signs existing pursuant to variances granted by the Board of Adjustment before June 1, 1999, shall, at the owner’s expense, be removed or altered/moved in a way that brings the sign into conformance with the provisions of this Article before receiving any sign permits for existing or proposed signs with the one following exception. If the nonconforming sign has not been discontinued and the sign face is not enlarged, minor modifications and repairs may be made and the sign face may be altered or changed, but the sign shall not be moved unless moving the sign will allow it to into conformance with this Article. In addition, no structural alterations may be made to an on-premise sign. If structural alteration is needed to maintain structural integrity, the sign shall be removed and no building or sign permits shall be issued until its removal. A sign shall be considered discontinued if, for one year, the services or products advertised are no longer available at the destination or if the sign no longer has an advertising message other than the name of the sign owner on any part of the sign (Beginning dates of discontinuance can be validated by identifying the termination date of business licenses). (Ord. 4068, §4)

b. If the sign face of a nonconforming, off-premise sign is not enlarged, minor modifications and repairs may be made and the sign face may be altered or changed, but the sign shall not be moved unless moving the sign will allow it to into conformance with this Article. In addition, no structural alterations shall be permitted. If structural alteration is needed to maintain the sign’s structural integrity, the sign shall be removed and no building or sign permits shall be issued until its removal.

c. In cases of doubt or on a specific question raised whether a nonconforming sign exists, it shall be a question of fact decided by the
Sec. 42-244.10. Electronic Message Center Signs.

An EMCS is defined as any sign or portion of a sign that uses changing lights to form a sign message or messages in text form or by video image display wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes. The definition includes standard television screens, plasma display panel (PDP) screens, digital (HDTV) screens, flat panel display screen, light-emitting diode (LED) screens, video boards, and holographic 2 or 3D animation presentation displays. (Ord. 3982, §2)

a. Portable or temporary EMCS are prohibited. The use EMCS shall be further restricted by the additional standards in this section and the lighting standards in Section 42-244.4, General Sign Provisions. (Ord. 3982, §2)
b. An EMCS may be used with other sign types and the area of the EMCS shall be included in the calculation to determine total permitted sign advertising area for a specific business application. (Ord. 3982, §2)
c. Advertising messages, information, images and background shall remain in a fixed static position for a minimum of eight (8) seconds. The change sequence must be accomplished within an interval of two (2) seconds or less. (Ord. 3982, §2)
d. The EMCS shall have an automatic dimmer (factory set to the illumination intensities as follows) and a photo cell sensor to adjust the illumination intensity of brilliance of the sign so that it shall not cause glare or impair the vision of motorists, and shall not interfere with any driver’s operation of a motor vehicle. The sign shall not exceed a maximum illumination of seven thousand five hundred (7,500) nits (candels per square meter) during daylight hours and a maximum illumination of five hundred (500) nits between dusk to dawn as measured from the sign’s face at maximum brightness. Any external illumination devices shall be effectively shielded so as to prevent beams...
or rays of light from being directed at any portion or a street or highway or any residential use. (Ord. 3982, §2)

e. No moving, rotating, fluttering, blinking, or flashing elements are permitted. No animation, video, audio, pyrotechnic, or blue casting components are permitted. "Blue casting" refers to any digital media transmitter device provisioned over Bluetooth used to send an unsolicited electronic message directly to any cell phone within range if switched on. The EMCS shall not display any message that moves, appears to move, scrolls, or changes in light intensity during the fixed display period. (Ord. 3982, §2)

f. The MECS shall contain a default sign design that will freeze the sign in one (1) position if a malfunction occurs to avoid flashing. (Ord. 3982, §2)
Figure 2, Proposed Sign Ordinance

DIVISION 18. SIGNS.

Sec. 42-244. Purpose of Sign Regulations.
The purposes of these sign regulations are: (1) to encourage the effective use of signs as a means of communication in Rolla; (2) to maintain and enhance the aesthetic environment and the City's ability to attract sources of economic development and growth; (3) to promote pedestrian and traffic safety; (4) to minimize the possible adverse effect of signs on the enjoyment and economic value of nearby public or private property; (5) to preserve the right of free speech and expression; (6) and to enable the fair and consistent enforcement of these restrictions. (Ord. 3414)

Sec. 42-244.1. Definitions.

a. Balloon Sign: A lighter-than-air, gas-filled balloon, tethered in a fixed location, which may or may not contain an advertisement message on its surface or attached to the balloon in any manner.

b. Banner: Any cloth, bunting, plastic, paper, or similar non-rigid material attached to any structure, staff, pole, rope, wire, or framing that is anchored on two or more edges or at all four corners, or by one edge when not on a pole or staff. Banners do not include flags.

c. Changeable Copy Sign: A sign with the capability of content change by means of manual or remote input, includes the following types:
   1. Manually Activated - Changeable sign whose message copy or content can be changed manually on a display surface.
   2. Electrically Activated - Changeable sign whose message copy or content can be changed by means of remote electrically energized on-off switching combinations of alphabetic or pictographic components arranged on a display surface.

d. Decorations: Displays (including lighting) that are a non-permanent installation for one-time or yearly events.

e. Electronic Message Center or Sign (EMC): An electrically activated changeable sign whose variable message and/or graphic presentation capability can be electronically programmed by computer from a remote location. EMCs typically use light emitting diodes (LEDs) as a lighting source. Any reference to EMC also refers to digitally activated changeable copy signs.

I.A.17.
f. Feather Flags (Also known as advertising flags, flag banners, swooper flags, flutter flags, blade flags, sail flags, bow flags, tear drop flags): These advertising tools come in the form of a long, narrow, lightweight canvas or other non-rigid material that is attached to a flexible pole (generally) that can be placed into the ground or attached to a weighted stand that allows them to be portable. The shape of the canvas usually resembles a feather or tear drop or a sail with its long side attached to the pole and perpendicular to the ground. Feather flags are temporary in nature and do not include flags or banners.

g. Flag: Any sign printed or painted on cloth, plastic, canvas, or other like material with distinctive colors, patterns, or symbols and is attached to a pole or staff and anchored along only one edge or supported or anchored at only two corners.

h. Flashing Signs: Signs whose illumination is characterized by a repetitive cycle in which the period of illumination is either the same as or less than the period of nonillumination. Generally, a message is continuously repeated, with the sign used as an attention-getting device.

i. Freestanding Signs: A sign supported by structures or supports that are placed on, or anchored in, the ground; and that is independent and detached from any building or other structure. The following are subtypes of freestanding signs:

1. Ground Sign (Also known as monument sign): A sign permanently affixed to the ground at its base, supported entirely by a base structure, and not mounted on a pole or attached to any part of a building.

2. Pole Sign: A freestanding sign that is permanently supported in a fixed location by a structure of one or more poles, posts, uprights, or braces from the ground and not supported by a building or a base structure. This definition includes pylon signs.

3. Temporary Freestanding Sign: A freestanding sign that is not anchored in the ground or supported by a structure that is anchored in the ground or a freestanding sign that is easily removed from the ground by hand, such as h-frame lawn signs. This type of sign does not include balloon signs, inflatable signs, feather banners, sandwich board signs, vehicular signs, animated/electronic signs, mechanical movement signs, or revolving signs.

j. Frontage, Building: The length of an exterior building wall or structure of a single premises along the public's rights-of-way.

k. Frontage, Property: The length of the property line(s) of any single premises along a public street. When the word "frontage" is used alone, it refers to property frontage.

l. Illumination: A source of any artificial or reflected light, either directly from a source of light incorporated in, or indirectly from an artificial source.
1. External Illumination: Artificial light, located away from the sign, which lights the sign, the source of which may or may not be visible to persons viewing the sign from any street, sidewalk, or adjacent property.

2. Internal Illumination: A light source that is concealed or contained within the sign and becomes visible in darkness through a translucent surface. Message center signs, digital displays, and signs incorporating neon lighting shall not be considered internal illumination for the purposes of this ordinance.

m. Illuminated Sign: A sign with electrical equipment installed for illumination, either internally illuminated through its sign face by a light source contained inside the sign or externally illuminated by a light source aimed at its surface.

n. Inflatable Sign: A sign that is an air-inflated object, which may be of various shapes, made of flexible fabric, resting on the ground or structure and equipped with a portable blower motor that provides a constant flow of air into the device.

o. Internal Signs: Any on-premises sign located entirely within a building.

p. Mechanical Movement Sign: A sign having parts that physically move rather than merely appear to move as might be found in a digital display. The physical movement may be activated electronically or by another means, but shall not include wind-activated movement, such as used for banners or flags. Mechanical movement signs do not include digital signs that have changeable, programmable displays.

q. Off-Premises Sign (Also known as a third-party sign, billboard, or outdoor advertising): An outdoor sign that contains a message or messages that directs attention to a specific business, product, service, event or activity, or other commercial or noncommercial activity, or contains a non-commercial message about something that is not sold, produced, manufactured, furnished, or conducted on the premises upon which the sign is located.

r. On-Premises Sign: A sign that contains a message or messages and design that relates to an individual business, profession, product, service, event, point of view, or other commercial or non-commercial activity sold, offered, or conducted on the same property where the sign is located.

s. Permanent Sign: A sign attached or affixed to a building, window, or structure, or to the ground in a manner that enables the sign to resist environmental loads, such as wind, and that precludes ready removal or movement of the sign and its intended use appears to be indefinite.

t. Portable Sign: Portable signs are signs that are designed to be transported or moved and not permanently attached to the ground, a building, or other structure. The following types of signs are portable signs.

1. Sandwich Board Sign (Also known as A-frame sign): A type of freestanding, portable, temporary sign consisting of two faces
connected and hinged at the top and its message is targeted to pedestrians. Includes a board sign on a stand instead of hinged.

2. Vehicular Sign: A sign affixed to a vehicle in such a manner that the sign is used primarily as a stationary advertisement for the business on which the vehicle sits or is otherwise not incidental to the vehicle’s primary purpose.

u. Premises: The lot or lots, plots, portions, or parcels of land considered as a unit for a single use or development, whether owned or leased.

v. Projecting Sign (Also known as a blade sign): A building-mounted, double-sided sign with the two faces generally perpendicular to the building wall. Signs and banners that hang from a canopy, awning, or roof shall be considered projecting signs.

w. Revolving Sign: A sign which revolves in a circular motion; rather than remaining stationary on its supporting structure.

x. Roof Sign: A sign mounted on the main roof portion of a building or on the uppermost edge of a parapet wall of a building and which is wholly or partially supported by such building. When permitted, a roof sign will be considered a wall sign for the purpose of calculating maximum sign area.

y. Sign: Any device, structure, fixture, painting, emblem, or visual that uses words, graphics, colors, illumination, symbols, numbers, or letters for communicating a message. A sign includes the sign faces as well as any sign supporting structure.

z. Sign Area or Face: The area of a sign enclosed by the perimeter upon which sign copy is placed. The computation details are described below:

1. Where the sign consists of individual letters, designs, or symbols that are attached individually and directly upon a wall without a change in color or appearance of the surface background, the area shall be that of the smallest rectangle which encompasses all of the letters, designs, and symbols.

2. In the case of panel or cabinet type signs, the sign area shall include the entire area of the sign panel or cabinet upon which the sign copy is displayed or illustrated, but not open space between separate panels or cabinets.

3. In the case of sign copy enclosed within a painted or illuminated border, or displayed on a background contrasting in color with the color of the building or structure, the sign face shall comprise the area within the contrasting background, or within the painted or illuminated border.

4. Only one side of a double-sided sign shall be considered when determining the sign area if the faces are equal in size and the interior angle formed by the faces is zero degrees.

5. Where the faces of a double-sided sign are not equal in size, but the interior angle formed by the faces is zero degrees, the larger sign face shall be used as the basis for calculating sign area.
6. When the interior angle of a double-sided sign formed by the faces is greater than zero degrees, all sides of such sign shall be considered in calculating the sign area.

7. The sign area for signs that are (or include) a three-dimensional object is calculated as the sum of two adjacent vertical faces of the smallest cube encompassing the sign or object.

aa. Sign Copy: The letters, figures, characters, representations, pictures or wording on a sign, including any identification, description, symbol, trademark, object, design, logo, illustration, or device comprising the content or message of a sign; or any emblem or painting designed to advertise, communicate, identify, or convey information.

bb. Sign Height: The vertical dimension of a sign. The computation details and relevant regulations are as follows:
   1. Sign height shall be measured as the distance from the highest portion of the sign to the mean finished grade of the street closest to the sign. In the case of a sign located greater than 100 feet from a public street, height shall be measured to the mean grade at the base of the sign.
   2. Clearance shall be measured as the smallest vertical distance between finished grade and the lowest point of the sign, including any framework or other structural elements that project from the wall.

cc. Snipe Sign (Also known as bandit sign): A sign tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, fences, public benches, streetlights, or other objects, or placed on any public property or in the public’s rights-of-way or on any private property without the permission of the property owner.

dd. Streamers: A display made of lightweight, flexible materials, consisting of long, narrow, wavy strips hung individually or in a series, with or without a logo or advertising message printed or painted on them and typically designed to move in the wind.

e. Temporary Sign: A sign that cannot be defined as a permanent sign. The only types of temporary signs permitted in the City of Rolla are listed under Subsection 42-244.7(b)

ff. Wall Sign (Also known a fascia sign, parallel wall sign, or band sign): A building-mounted sign, which is either attached to or displayed on an exterior wall in a manner parallel with the wall surface. A sign or banner installed on a roof, eave, canopy, or awning in a manner parallel with the structures surface is also considered a wall sign. See projecting signs for signs that hang from such structures.

gg. Zoning District, Nonresidential: C-O, C-1, C-2, C-3, CC, M-1, M-2, Gl, and PUDs that contain commercial, office, civic, or industrial uses.

hh. Zoning District, Residential: R-R, R-1, R-2, R-3, R-3b, and PUDs that do not contain commercial, office, civic, or industrial uses.

(Ord. 3414; Ord. 3542, §1; Ord. 3566, §4; Ord. 3611, §8)
Sec. 42-244.2. Exempt Signs.
The following signs are exempt from the provisions of this Division, unless otherwise noted, but must conform to all other federal, state, and local codes/rules, including building codes.

a. Any sign that is posted by a governmental unit on government property and any sign required by local, state, or federal law.
b. Any sign posted on the property of a public school district or public university if that sign is posted by the school district or university that owns such property.
c. Signs that are less than seven feet in height if the sign face is not visible from the public’s rights-of-way.
d. In nonresidential districts, any sign less than seven feet in height and that is more than 100 feet away from any lot line fronting a street.
e. In nonresidential districts, if the signs are four square feet or less in area and four feet or less in height, one pole sign at each exit and each entrance of any property.
f. Flags. This provision does not include banners or feather flags. However, flags and supporting structures that lawfully project into the public rights-of-way shall not hang below seven feet in height.
g. Internal signs, including lettering painted on or attached to a window or door and window signs located inside a building, but excluding flashing signs that do not conform to the regulations of this Division related to electronic message center signs.
h. Balloons (does not include balloon signs) that are less than 36 inches in diameter. Balloons that are deflated or faded will be deemed unmaintained and required to be removed.
i. A sign that is integrated into or on a coin-operated machine, credit-card machine, vending machine, gasoline pump, or telephone booth.
j. Decorations, except that they shall not be displayed for more than 120 days in a year.
k. Signs printed on or attached to a public bench if it does not interfere with driver vision or pedestrian movement and does not extend beyond the public bench’s structural width and height.
l. Signs carved into a building or raised in integral relief on a building.

(Ord. 3414; Ord. 3542, §2; Ord. 3566, §5; Ord. 3611, §9)

Sec. 42-244.3. Prohibited Signs.
The following signs are prohibited.

a. Flashing signs.
b. Signs that employ pyrotechnic or blue casting components and signs that emit smoke, visible vapors, particulate matter, or odor.
c. Signs that employ any searchlights or strobe lights and reflective signs or signs containing mirrors.
d. Signs that may be confused with or construed as a traffic control sign, signal, or device, or the light of an emergency vehicle or road equipment by reason of their size, location, movement, coloring, or manner of illumination.
e. Signs that shield from view any traffic control device, sign, signal or other government sign.
f. Snipe signs.
g. Vehicular signs. This regulation does not include operable vehicles primarily and actively used for business purposes and/or personal transportation.
h. Signs that are unlawful.

Sec. 42-244.4 General Sign Provisions.
a. On-Premises Signage. Permanent signage, except as authorized by Section 42-244.8 and signs authorized by federal and state law, shall only be on-premises signage. Temporary signage shall be on-premises signage, except as authorized in Sections 42-244.5 and 42-244.6.
b. Messaging. Any signage authorized to be displayed by this ordinance may contain a noncommercial message.
c. Permitting Exceptions. The following operations shall not require the issuance of a sign permit:
   1. Changing the copy on an existing conforming sign that has not been discontinued and that is specifically designed for the use of manually or digitally activated changeable copy sign, including billboard panels and posters; but not including changes in the structure, size, placement, or location of the sign, and
   2. Maintenance, including repainting, cleaning, or other normal repair of an existing sign not involving structural alterations or changes in size, location, or placement.
d. Permitting Process. Except for exempt signs, all permanent signs, regardless of the fact that a building permit may be required for its erection/installation, require the submission and approval of an application for a sign permit and a sign site plan. Sign permits are not building permits for signs. Some signs may require building permits, even if they are exempt from this Division. Applications for sign permits or supporting material, such as elevations, shall indicate the type, number, size, shape, and dimensions of all of the existing and proposed signage on the premises. If needed, elevation views or other relevant information may be required. No sign
permits shall be issued if the premises requesting the permit contains an illegal sign.

e. Site Plan Requirements. Sign site plans shall be provided as follows:
   1. The site plan shall be drawn to scale or shall show the dimensions of all relevant objects/elements and show all the distances between all of the relevant objects/elements.
   2. The site plan shall indicate the property lines of the premises and, in cases whereby signs are being placed in the rights-of-way, the site plan shall indicate the type of ROW surface, the location of the curbline, the sidewalk, and any objects within the ROW in front of the property subject to the proposal.
   3. The site plan shall show the proposed location of each sign in relation to property lines, nearby buildings, walkways, streets, driveways and parking areas.

f. Sign Location and ROW. All signs and other objects regulated by or exempt from this Division, including merchandise, patio furniture, sign structures, flags, decorations, and temporary signs, must be erected/placed and attached totally on or within private property, except that if a tenant space is located in a nonresidential zoning district along the public's rights-of-way and there is less than five feet between the full building frontage of the tenant space and the public's rights-of-way, certain types of signs and other objects may be placed in or project over the public's rights-of-way, but not in or over any roadway. Apart from all other provisions that apply, Subsection 42-244.7(f) and the following provisions listed below describe the applicability and the restrictions of such an allowance:
   1. Only wall signs, flags, streamers, and projecting signs shall be permitted to project over sidewalks. The minimum clearance of such objects shall be seven feet and the object shall not occupy space beyond a vertical plane of two feet from the curb line.
   2. Only patio furniture, merchandise, and sandwich board signs are permitted on sidewalks. The maximum height for such signs/objects shall be five feet.
   3. One flag or temporary freestanding sign may be located in each city-owned flowerpot if the sign is less than two square feet in area, the object does not exceed five feet in height when in the flowerpot, the flower pot is watered and maintained by the tenant, and those flowerpots are on a public sidewalk and abut the tenant space responsible for locating such a sign in said flowerpot.
   4. See Subsection 42-244.7(f) for all other restrictions pertaining to this allowance.

g. Permission. The party constructing/installing/placing the sign or object on private property is responsible for obtaining the permission of the property owner before such action is taken.
h. Setbacks. Unless exempt by Subsection 42-244.4(f), all signs, including temporary signs and exempt signs, shall conform to the side and rear setback requirements of the zoning district they are located in. However, the front of the lot shall be defined as any lot line that fronts a street. Such signs shall have a minimum rear yard setback of ten feet and a minimum side yard setback of five feet.

i. Residential Protection. Even if a sign is exempt under Section 42-244.2, no sign that makes noise or is a freestanding sign that is more than seven feet tall shall be permitted in or within 100 feet of a residential zoning district that is not the public’s rights-of-way.

j. Illumination. All permanent signs may be unilluminated, internally illuminated, or externally illuminated. Externally lit signs shall be illuminated only with steady, stationary, and shielded light sources directed solely onto the sign. The illumination of signs shall not be brighter than is necessary for clear and adequate visibility. Illumination shall not exceed approximately 750 cd/m² or Nits at night. The illumination of signs shall not be of such intensity or brilliance as to impair the vision of a motor vehicle driver with average eyesight or to otherwise interfere with the driver’s operation of a motor vehicle.

k. Roof Signs and Sign Placement. In no instance shall a wall sign or projecting sign project above the eave line or beyond a wall edge, except for roof signs in the C-3 and C-C zoning districts.

l. Maintenance. All signs, together with their supports, braces, connections, or anchors shall be kept in good repair. Unsafe signs, damaged, or deteriorated signs, or signs in danger of breaking apart or falling shall be removed or repaired by their owner upon written notice by the City of Rolla.

m. Clearances.

1. Vision clearance areas: Vision clearance areas or triangles are triangular shaped areas located at the intersection of any combination of rights-of-way, alleys, or driveways. The size of the triangle shall be determined by the City Engineer. The vision or path of pedestrians, bicyclists, or motor-vehicle operators shall not be obstructed with any object regulated by or exempt from this Division. No object shall be located within any vision clearance triangle, the size of which is determined by the city engineer,

2. Clearances from fire escapes, means of egress or standpipes: Signs, sign structures and awnings are prohibited from being erected in any manner that interferes in any way with the free use of any fire escape, means of egress or standpipe. Attaching signs, sign structures or awnings to a fire escape is prohibited, unless such a sign is required for safety.

3. Obstruction of windows and ventilation: Signs, sign structures and awnings are prohibited from being installed in any way that obstructs any building openings to such an extent that light, ventilation, or
exhaust are reduced to a level below that required by either the Building Code, Plumbing Regulations, Heating and Ventilating Regulations, or Housing and Maintenance Regulations.

n. Measurements. All lineal distances required by this Division shall be measured from the nearest outside edge of the subject sign, whether a support, structural member, or the sign surface itself, to the nearest outside edge of the corresponding sign, building, right-of-way, property line, easement, or other object/element involved. Other measurement specifications are within the definition section of this Division, Section 42-244.1.

o. Changeable Copy. Changeable copy, whether digitally or manually activated, is permitted only if it is integrated into a pole, ground, marquee, projecting, or wall sign. In addition, only manually activated changeable copy is permitted on sandwich board signs. See Section 42-244.10 for restrictions on the use of EMCS.

p. Movement. Mechanical movement and revolving signs are only permitted in nonresidential districts.

q. Rules for interpretation and applicability.
   1. When the word "sign" or "signs" is used in this Division it may also be referring to patio furniture, merchandise, and decorations.
   2. Where this Division is silent, or where the rules of this Division do not provide a basis for concluding that a sign is allowed, said sign is therefore prohibited.

Sec. 42-244.5. Sign Regulations for Residential Zoning Districts.

a. Sign standards for properties within residential zoning districts containing single-family houses and duplexes, even if business is being conducted in the building:
   1. Type. Any wall sign or freestanding sign, as defined and limited in Subsection 42-244.1(i). No sign is permitted to have changeable copy. Off-premises temporary signage shall not be posted for more than 14 consecutive days in any given quarter of a year and such signage shall be removed within 14 days of receiving notice from the City of Rolla.
   2. Number and Sign Area. If the total sign area of all signs does not exceed 24 square feet, there is no limit on the number of signs permitted.
   3. Height. Freestanding signs shall be less than six feet in height and wall signs shall not project higher than the lowest eave line.

b. Sign standards for residentially-zoned properties that serve as the entrance/exit ways to subdivisions, contain multi-family complexes and
condominium complexes, or contain permitted or nonconforming nonresidential uses that are not considered home occupations and are not located in single-family houses or duplexes:

1. Type. Any wall sign or freestanding sign, as defined and limited in Subsection 42-244.1(i). Off-premise temporary signage shall not be posted for more than 14 consecutive days in any given quarter of a year and such signage shall be removed within 14 days of receiving notice from the City of Rolla.

2. Number and Sign Area. One wall sign is permitted on each building and one ground or pole sign is permitted per entrance/exit to a public street or, in the case of a subdivision, per entrance/exit to the subdivision. The maximum sign area of any one permanent sign is 64 square feet. An unlimited amount of temporary freestanding signs, as defined and limited in Subsection 42-244.1(i), is permitted if the total sign area of all temporary freestanding signs does not exceed 24 square feet.

3. Height. Ground and pole signs shall be limited to a maximum height of 15 feet. Temporary freestanding signs shall be limited to six feet in height.

Sec. 42-244.6. Sign Regulations for Nonresidential Zoning Districts.

a. General Provisions:

1. In addition to the signs listed in Subsections 42-244.6(b) and 42-244.6(c), properties within nonresidential zoning districts are permitted temporary/portable signs, as regulated in Section 42-244.7.

2. Each building, not individual tenants, are permitted a maximum amount of area for wall signs. The owner(s) of the premises may divide and distribute the allowable sign area in any way she/he/they chooses. It is the responsibility of the person/entity posting the sign to obtain permission from the owner to install/locate a sign of a certain size on the owner's property.

b. Sign standards for properties located in C-O and C-1 Districts:

1. Type. Pole signs, ground signs, projecting signs, and wall signs shall be permitted.

2. Number. Each premises is permitted an unlimited amount of wall signs and is permitted one projecting sign for each tenant space. In addition, all premises are permitted two permanent freestanding signs (i.e. ground signs and pole signs) if there is a distance of 500 feet or more between the two signs. Corner lots and parcels shall be permitted one permanent freestanding sign per street frontage, up to two signs, if each sign is located along a different street, regardless of distance between the two signs. Otherwise, there must be 500 feet...
of separation between the signs in order for two signs to be permitted on such premises.

3. Sign Area. Maximum wall sign area shall be determined by multiplying the lineal feet of building frontage facing a street by two square feet. Projecting signs shall not exceed 20 square feet in area, regardless of the amount of other signage on the premises. Each Pole or ground sign shall be limited to 100 square feet each.

4. Height and Clearance. Ground and pole signs shall be limited to a maximum height of 20 feet. Projecting signs shall have a minimum clearance of seven feet.

c. Sign standards properties located in C-2, C-3, CC, M-1, M-2, or GI Zoning Districts and, unless otherwise restricted by a final development plan, any PUDs with commercial, industrial, or civic uses:

1. Type. Same as Subsection 42-244.6(b)(1), except that mechanical movement and revolving signs are also permitted. In addition, roof signs are only permitted in C-3 and C-C zoning districts and such signs will be considered wall signs in the calculation of maximum sign area. If a mechanical movement or revolving sign is not attached to a building it will be considered a projecting sign and if such signs are not connected to a building, they will be considered a permanent freestanding sign (i.e. ground signs and pole signs).

2. Number. Same as Subsection 42-244.6(b)(2).

3. Sign Area. Maximum wall sign area shall be determined by multiplying the lineal feet of building frontage facing a street by four square feet. Projecting signs shall not exceed 20 square feet in area, regardless of the amount of other signage on the premises. Each Pole or ground sign shall be limited to 400 square feet each.

4. Height and Clearance. Ground and pole signs shall be limited to a maximum height of 40 feet. Roof signs shall not exceed the building height limit of the zoning district in which the sign is located. Projecting signs shall have a clearance of seven feet.

Sec. 42-244.7. Temporary and Portable Signs.
The following provisions apply to nonresidential zoning districts only. Temporary signs that comply with the requirements of Section 42-244.7 shall not be included in the determination of the type, number, or area of the signs permitted on a property per Subsections 42-244.6(b) and 42-244.6(c). The following restrictions apply to all temporary and portable sign placement/installation/construction.

a. Each tenant space on a property in a nonresidential district is permitted to locate two temporary signs on such a property, except that when a tenant locates a balloon sign or inflatable sign on the property, the tenant shall not locate any other temporary or portable sign on the property. Off-premise
temporary signage shall not be posted for more than 14 consecutive days in any given quarter of a year and such signage shall be removed within 14 days of receiving notice from the City of Rolla.

b. Tenants may only choose from the following types of temporary and portable signs:
   1. Temporary freestanding signs
   2. Banners, if not considered a wall sign per Subsection 42-244.1(ff)
   3. Balloon signs
   4. Inflatable signs
   5. Feather flags
   6. Sandwich board signs
   7. Streamers

c. Area restrictions by sign type:
   1. Temporary freestanding signs, banners, and feather flags shall not exceed 32 square feet.
   2. Sandwich board signs shall not exceed 16 square feet
   3. Inflatable signs and balloon signs are limited to 75 square feet (See Subsection 42-244.1(z)(7) for the method of calculating area for three-dimensional objects).

d. Height restrictions by sign type:
   1. Temporary freestanding signs and sandwich board signs shall be limited to five feet in height.
   2. Feather Flags, balloon signs, banners, streamers, and inflatable signs shall be limited to 24 feet in height.

e. General restrictions:
   1. The party posting the temporary sign is solely responsible for obtaining the permission of the property owner before posting their temporary sign.
   2. Except for movement caused by air compressors for inflatable signs, mechanical motion, illumination, EMC technology, and electronically activated changeable copy is prohibited.
   3. Manual changeable copy is only permitted when integrated into a sandwich board sign.
   4. Inflatable signs, feather flags, and balloon signs shall have a minimum setback requirement from all lot lines that is equal to its height. All other temporary/portable signs, except when certain such signs are permitted within the sidewalk area, must conform to the same setback requirements to which permeant signs must conform.
   5. Inflatable signs are not permitted within 100 feet of a residential zoning district and air compressors (and other noisy motors associated with any sign) must be turned off between the hours of 11 P.M. to 7 A.M.
   6. No temporary or portable sign that is more than seven feet tall shall be permitted within 100 feet of a residential zoning district.
7. Vehicular signs are prohibited, except that the use of business logos, identification, or advertising on operable vehicles primarily and actively used for business purposes and/or personal transportation is permitted.

8. Signs located on patio furniture, merchandise, or the structures on or from which such merchandise sits or hangs, respectively, shall be considered temporary signs and count towards the total temporary/portable signage permitted per property.

f. Sidewalk restrictions. If permitted by Subsection 42-244.4(f), the following restrictions apply:
   1. If signs are permitted on sidewalks, signs shall only be located on the sidewalk space that abuts the tenant space that is permitted to locate such signs on such sidewalks.
   2. No object shall obstruct a continuous through pedestrian zone of at least five feet in width.
   3. All permitted signs that are on a public sidewalk shall be located within 12 feet of the primary public entrance of the tenant's establishment.
   4. Sandwich board signs shall be weighted, temporarily secured, or strategically placed to avoid being carried away by high winds.
   5. Sandwich board signs and merchandise shall not be displayed on any sidewalk during hours of non-operation.
   6. No signs shall obstruct pedestrian and wheelchair access from the sidewalk to parking spaces or access ramps designated for people with disabilities or building exits, including fire escapes.

g. Installation and Maintenance
   1. All signs/objects must be installed such that, in the opinion of Rolla's building official, they do not create a safety hazard.
   2. All signs must be made of durable materials and shall be well maintained. Signs that are frayed, torn, broken, or that are no longer legible will be deemed unmaintained and required to be removed.
   3. Owner or tenant will be given one warning for violating any of the provisions pertaining to temporary/portable signs. After the initial warning, all subsequent violations may result in the issuance of a citation without any further notice in perpetuity.

Sec. 42-244.8. Off-Premises Sign (Third-party sign, billboard, or outdoor advertising)
Permanent off-premise signage shall comply with all the requirements of this Division and shall only be permitted upon property having frontage on either Interstate 44, Highway 63, or Business Loop 44, and zoned C-3, M-1, or M-2. Within areas zoned Planned Unit Development District or property in any zoning district upon which a conditional use permit has been issued in the above mentioned corridors, such advertising structures shall only be permitted when specifically authorized upon the final development plan or permit approval. (Ord. 3414)
   a. Area, Height, Location – Interstate 44:
   
I. A. 30.
1. The maximum height of a billboard along Interstate 44 shall not exceed 45 feet. No part of structure shall extend below 15 feet.
2. The maximum surface area along Interstate 44 shall be 672 square feet with a maximum sign height of 20 feet and a maximum sign width of 48 feet. The sign shall be limited to two signs in each direction with one message per sign. In no case will the total sign surface in any one direction exceed 672 square feet.
3. Sign spacing along I-44 shall be 500 lineal feet per side of the highway.

b. Area, Height, Location - Highway 63 and Business Loop 44:
1. The maximum height of a billboard along Highway 63 and Business Loop 44 shall be 30 feet. The maximum surface area of a billboard along Highway 63 and Business Loop 44 shall be 192 square feet surface on each side with a maximum sign height of 12 feet and a maximum sign width of 24 feet. No part of the structure shall extend below 15 feet.
2. Sign spacing along Highway 63 and Business Loop-44 shall be one thousand 1000 lineal feet per side.
3. Billboards along Business Loop 44 and Highway 63 shall not exceed two sign surfaces, one surface in each direction, with 192 square feet surface on each side and not more than two advertising faces on each side.
4. No sign shall be located within 1000 feet of a residential zoning district.
5. The minimum front yard setback for such signs shall be 15 feet from any public right-of-way and/or private roadway easement. The maximum setback for such sign shall be 50 feet from the public right of way.

c. Restrictions for all highways:
1. External lighting of billboards, such as floodlights, thin line, and goose-neck reflectors are permitted, provided the light source is directed upon the face of the sign and is effectively shielded so as to prevent beams or rays of light from being directed toward any residential structure or into any portion of the main travel way. The lights should not be of such intensity so as to interfere with the residential use of property or to cause glare, impair the vision of the driver of a motor vehicle, or otherwise interfere with a driver's operation of a motor vehicle.
2. No such sign shall be located in such a manner as to obstruct or otherwise interfere with the effectiveness of an official traffic sign, signal, or device or obstruct or physically interfere with a motor vehicle operator's view of approaching, merging, or intersecting traffic.
3. No part of any billboard shall be located on any public street or private utility easement, drainage easement, or railroad right-of-way.

4. All lineal distances required by this Division shall be measured from the nearest outside edge of the subject sign, whether a support, structural member, or the sign surface itself, to the nearest outside edge of the corresponding sign, building, right-of-way, or easement involved.

d. Plans Required: An application to erect such a sign shall include the following:

1. A set of plans, to scale, approved and sealed by a licensed engineer, providing all necessary construction and electrical details of the sign and sign structure, including height.

2. A Sign Plan, to scale containing:
   - The proposed location of the sign on the property.
   - The distance from the proposed sign location to any buildings upon the property, and adjoining street right-of-way lines, and driveway entrances.
   - In conditional use areas, the distance from the proposed sign location to the next nearest billboard sign within 100 feet on either side of the street in either direction.
   - The distance from the proposed sign location to the nearest street intersection in either direction.
   - Other information deemed necessary by city officials.

3. A representation of the proposed sign, to scale, including the width and length of the sign faces, and height from surrounding grade.

4. Construction Specifications: Any sign erected under this Article shall be a single pedestal type, constructed of non-flammable material, excluding wood. Construction of the sign and material specifications shall meet the structural requirements of the City’s Building Code.

Sec. 42-244.9. Nonconforming Signs.

Nonconforming signs are signs that do not conform to this Division, yet were legally established prior to the adoption of this Division. The burden of proof will be on the property owner to show that the sign was legally established. Nonconforming signs, including those existing pursuant to variances granted by the Board of Adjustment before June 1, 1999, may continue to exist after passage of this Division if they maintain their nonconforming status. Nonconforming signs will be removed and/or changed in accordance with the provisions of this Section.

a. Permanent signs and sign structures that are moved, removed, replaced, or structurally altered, as defined in the Definitions Section of this Article, must be brought into conformance with the sign regulations. However, nonconforming signs required to be moved because of public right-of-way
improvements may be reestablished. Removable faces or sign panel inserts in a cabinet style sign may also be changed by right, and such change does not constitute a structural alteration nor trigger loss of nonconforming status.

b. Nonconforming temporary signs must be removed within 30 days of the passage of this language.

c. Once a sign is altered to conform or is replaced with a conforming sign, the nonconforming rights for that sign are lost and a nonconforming sign may not be re-established.

d. Loss of nonconforming sign status.

1. If a sign is discontinued, it loses its nonconforming status. Except for signs that were legally established as Billboards according to state and/or federal law, a sign shall be considered discontinued if, for one year, the services or products advertised are no longer available at the destination or if the sign no longer has an advertising message other than the name of the sign owner on any part of the sign (Beginning dates of discontinuance can be validated by identifying the termination date of business licenses).

2. Destruction. When a sign or sign structure is removed or intentionally destroyed, replacement signs and sign structures must comply with the current standards. However, if a sign or sign structure that has nonconforming elements is partially or totally damaged by fire or other causes beyond the control of the owner, the sign and sign structure may be rebuilt to the same size and height using the same materials.

e. Once a sign loses its nonconforming status, it must be removed before any other permits for signs shall be issued for the premises on which the sign that has lost its nonconforming status exists.

f. If structural alteration is needed to maintain the sign's structural integrity, the sign shall be removed and no building or sign permits shall be issued until its removal.

g. In cases of doubt or on a specific question raised whether a nonconforming sign exists, it shall be a question of fact decided by the Codes Administrator and such a determination shall be subject to appeal to the Board of Adjustment. (Ord. 3414; Ord. 4068, §4; Ord. 4428, §§21-22)

Sec. 42-244.10. Electronic Message Center Signs.
In nonresidential zones, Electronic Message Centers (EMCs), which includes electronically activated changeable copy signs and signs that imitate movement through electronic means, are permitted in accordance with the permitted sign
area regulations of the district in which the sign is located. The following restrictions apply:

a. With the exception of flashing signs and full motion video or film display via an electronic file imported into the EMC software or streamed in real time into the EMC, EMC display features and functions are permitted in nonresidential zoning districts only.
b. No EMCs are permitted within 100 feet of any residential zone.
c. An EMC sign may be a portion or comprise the entirety of the sign face of a wall sign, pole sign, ground sign, or projecting sign. No other types of sign shall be integrated with EMC or other digital display technology.
d. All EMC signs shall have automatic dimming controls, either by photocell (hardwired) or via software settings, in order to bring the EMC lighting level at night into compliance with sign illumination standards of this division in Subsection 42-244.4(j).
Figure 3, Example of Types of Signs

- Balloon Sign
- Banner
- Flag
- Feather Flags
- Sail Flags
- Tear Drop Flags
- Projecting Sign
- Ground Sign
- Pole Sign
- Freestanding Signs
- Any size Fountain
- Herman Miller Sign
Illumination

Internal Illumination

External Illumination

Vehicular Sign — Prohibited, except when actively used for business.

Inflatable Sign

Snipe Sign

Internal Signs
ORDINANCE NO. ______

AN ORDINANCE AMENDING ARTICLE III OF CHAPTER 42, WHICH IS KNOWN AS THE ROLLA PLANNING AND ZONING CODE, BY DELETING AND ADDING LANGUAGE TO DIVISION 18 OF SAID ARTICLE, WHICH IS KNOWN AS SIGNS, FOR THE PARTICULAR PURPOSE OF PERMITTING TEMPORARY AND PORTABLE SIGNAGE. (SIGN ORDINANCE)

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AS FOLLOWS:

SECTION 1. Section 42-244, Purpose of Sign Regulations, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by deleting the following language:

The purposes of these sign regulations are: (1) to encourage the effective use of signs as a means of communication in Rolla; (2) to maintain and enhance the aesthetic environment and the City's ability to attract sources of economic development and growth; (3) to promote pedestrian and traffic safety; (4) to minimize the possible adverse effect of signs on the enjoyment and economic value of nearby public or private property; (5) and to enable the fair and consistent enforcement of these restrictions.

SECTION 2. Section 42-244, Purpose of Sign Regulations, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by adding the following language:

The purposes of these sign regulations are: (1) to encourage the effective use of signs as a means of communication in Rolla; (2) to maintain and enhance the aesthetic environment and the City's ability to attract sources of economic development and growth; (3) to promote pedestrian and traffic safety; (4) to minimize the possible adverse effect of signs on the enjoyment and economic value of nearby public or private property; (5) to preserve the right of free speech and expression; (6) and to enable the fair and consistent enforcement of these restrictions.

SECTION 3. Section 42-244.1, Definitions, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by deleting the following language:

a. Animation: Any action or motion other than flashing lights and automatic changeable copy in an attempt to develop a pictorial scene through the movement of lights or parts of a sign.
b. Attached Sign: Any sign substantially and permanently attached to, applied on, structurally connected to, painted on, or supported by, any part of a building.
c. Copy: The letters, figures, characters, representations, pictures or wording on a sign, including any identification, description, symbol, trademark, object,
design, logo, illustration, or device illuminated or non illuminated which directs attention to a product, service, place, activity, person, institution, business, or solicitation, including any permanently installed or situated merchandise; or any emblem or painting designed to advertise, communicate, identify, or convey information.

e. Detached Sign: Any freestanding sign, and including any inoperable vehicle or any trailer located for the primary purpose of advertising.
f. Directional Sign: An on-premise informational sign.
g. Effective Area: The effective area of sign shall be computed from the area enclosed by the perimeter upon which sign copy are placed, except that when individual letters, numbers, logo, etc. are mounted individually and directly upon a building surface without a change in color or appearance of the surface background, the effective area of the sign shall be deemed to be the rectangle or other geometric form that encompasses the letters, numbers, logo, etc. One (1) face of a double-sided sign shall be used to determine effective area.
h. Freestanding Signs: A sign supported permanently upon the ground by poles or columns installed in the ground or mechanically fastened or welded to a foundation installed in the ground and are independent from any building or other structure. All freestanding signs, supports, and foundations shall be designed to withstand all required loads imposed at any point upon the sign.
i. Internally Illuminated Signs: Signs where the source of the illumination is inside the sign and light emanates through the message of the sign, rather than reflected off the surface of the sign from an external source.
j. Off-Premise Sign: Any sign intended or used to advertise or inform the public of uses, goods, services offered off the premises where the sign is located.
k. On-Premise Sign: Any sign designating the name of the owner or occupant of the premises upon which the sign is placed, or identifying such premises; or advertising goods manufactured or produced or services rendered on or listing the sale or lease of, the premises upon which the entire sign is located.
l. Permanent Sign: Any sign that is not a portable or a temporary sign. Permanent signs may be freestanding (detached) or attached to a building or other structure.
m. Portable Sign: Any sign not permanently attached to the ground or to a permanent structure or building; or a sign designed to be transported or moved by lifting, hoisting, or hauling. This definition includes portable signs that are designed to be transported by means of wheels; signs converted to "A" or "T" frames, menu or sandwich board signs; balloons and other inflatable objects used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said signs are exempt vehicular signs, as defined herein.

n. Street Frontage: The distance for which a lot line adjoins a public street right-of-way, from one lot line intersecting the right-of-way to the furthest distant lot line intersecting the same right-of-way.
o. Temporary Sign: A sign that meets the definition of a portable sign, as defined herein.
SECTION 4. Section 42-244.1, Definitions, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by adding the following language:

a. Balloon Sign: A lighter-than-air, gas-filled balloon, tethered in a fixed location, which may or may not contain an advertisement message on its surface or attached to the balloon in any manner.
b. Banner: Any cloth, bunting, plastic, paper, or similar non-rigid material attached to any structure, staff, pole, rope, wire, or framing that is anchored on two or more edges or at all four corners, or by one edge when not on a pole or staff. Banners do not include flags.
c. Changeable Copy Sign: A sign with the capability of content change by means of manual or remote input, includes the following types:
   1. Manually Activated - Changeable sign whose message copy or content can be changed manually on a display surface.
   2. Electrically Activated - Changeable sign whose message copy or content can be changed by means of remote electrically energized on-off switching combinations of alphabetic or pictographic components arranged on a display surface.
d. Decorations: Displays (including lighting) that are a non-permanent installation for one-time or yearly events.
e. Electronic Message Center or Sign (EMC): An electrically activated changeable sign whose variable message and/or graphic presentation capability can be electronically programmed by computer from a remote location. EMCs typically use light emitting diodes (LEDs) as a lighting source. Any reference to EMC also refers to digitally activated changeable copy signs.
f. Feather Flags (Also known as advertising flags, flag banners, swooper flags, flutter flags, blade flags, sail flags, bow flags, tear drop flags): These advertising tools come in the form of a long, narrow, lightweight canvas or other non-rigid material that is attached to a flexible pole (generally) that can be placed into the ground or attached to a weighted stand that allows them to be portable. The shape of the canvas usually resembles a feather or tear drop or a sail with its long side attached to the pole and perpendicular to the ground. Feather flags are temporary in nature and do not include flags or banners.
g. Flag: Any sign printed or painted on cloth, plastic, canvas, or other like material with distinctive colors, patterns, or symbols and is attached to a pole or staff and anchored along only one edge or supported or anchored at only two corners.
h. Flashing Signs: Signs whose illumination is characterized by a repetitive cycle in which the period of illumination is either the same as or less than the period of nonillumination. Generally, a message is continuously repeated, with the sign used as an attention-getting device.
i. Freestanding Signs: A sign supported by structures or supports that are placed on, or anchored in, the ground; and that is independent and detached from any building or other structure. The following are subtypes of freestanding signs:
   1. Ground Sign (Also known as monument sign): A sign permanently affixed to the ground at its base, supported entirely by a base structure, and not mounted on a pole or attached to any part of a building.
2. Pole Sign: A freestanding sign that is permanently supported in a fixed location by a structure of one or more poles, posts, uprights, or braces from the ground and not supported by a building or a base structure. This definition includes pylon signs.

3. Temporary Freestanding Sign: A freestanding sign that is not anchored in the ground or supported by a structure that is anchored in the ground or a freestanding sign that is easily removed from the ground by hand, such as h-frame lawn signs. This type of sign does not include balloon signs, inflatable signs, feather banners, sandwich board signs, vehicular signs, animated/electronic signs, mechanical movement signs, or revolving signs.

j. Frontage, Building: The length of an exterior building wall or structure of a single premises along the public’s rights-of-way.

k. Frontage, Property: The length of the property line(s) of any single premises along a public street. When the word “frontage” is used alone, it refers to property frontage.

l. Illumination: A source of any artificial or reflected light, either directly from a source of light incorporated in, or indirectly from an artificial source.
   1. External Illumination: Artificial light, located away from the sign, which lights the sign, the source of which may or may not be visible to persons viewing the sign from any street, sidewalk, or adjacent property.
   2. Internal Illumination: A light source that is concealed or contained within the sign and becomes visible in darkness through a translucent surface. Message center signs, digital displays, and signs incorporating neon lighting shall not be considered internal illumination for the purposes of this ordinance.

m. Illuminated Sign: A sign with electrical equipment installed for illumination, either internally illuminated through its sign face by a light source contained inside the sign or externally illuminated by a light source aimed at its surface.

n. Inflatable Sign: A sign that is an air-inflated object, which may be of various shapes, made of flexible fabric, resting on the ground or structure and equipped with a portable blower motor that provides a constant flow of air into the device.

o. Internal Signs: Any on-premises sign located entirely within a building.

p. Mechanical Movement Sign: A sign having parts that physically move rather than merely appear to move as might be found in a digital display. The physical movement may be activated electronically or by another means, but shall not include wind-activated movement, such as used for banners or flags. Mechanical movement signs do not include digital signs that have changeable, programmable displays.

q. Off-Premises Sign (Also known as a third-party sign, billboard, or outdoor advertising): An outdoor sign that contains a message or messages that directs attention to a specific business, product, service, event or activity, or other commercial or noncommercial activity, or contains a non-commercial message about something that is not sold, produced, manufactured, furnished, or conducted on the premises upon which the sign is located.
r. On-Premises Sign: A sign that contains a message or messages and design that relates to an individual business, profession, product, service, event, point of view, or other commercial or non-commercial activity sold, offered, or conducted on the same property where the sign is located.

s. Permanent Sign: A sign attached or affixed to a building, window, or structure, or to the ground in a manner that enables the sign to resist environmental loads, such as wind, and that precludes ready removal or movement of the sign and its intended use appears to be indefinite.

t. Portable Sign: Portable signs are signs that are designed to be transported or moved and not permanently attached to the ground, a building, or other structure. The following types of signs are portable signs.

1. Sandwich Board Sign (Also known as A-frame sign): A type of freestanding, portable, temporary sign consisting of two faces connected and hinged at the top and its message is targeted to pedestrians. Includes a board sign on a stand instead of hinged.

2. Vehicular Sign: A sign affixed to a vehicle in such a manner that the sign is used primarily as a stationary advertisement for the business on which the vehicle sits or is otherwise not incidental to the vehicle’s primary purpose.

u. Premises: The lot or lots, plots, portions, or parcels of land considered as a unit for a single use or development, whether owned or leased.

v. Projecting Sign (Also known as a blade sign): A building-mounted, double-sided sign with the two faces generally perpendicular to the building wall. Signs and banners that hang from a canopy, awning, or roof shall be considered projecting signs.

w. Revolving Sign: A sign which revolves in a circular motion; rather than remaining stationary on its supporting structure.

x. Roof Sign: A sign mounted on the main roof portion of a building or on the uppermost edge of a parapet wall of a building and which is wholly or partially supported by such building. When permitted, a roof sign will be considered a wall sign for the purpose of calculating maximum sign area.

y. Sign: Any device, structure, fixture, painting, emblem, or visual that uses words, graphics, colors, illumination, symbols, numbers, or letters for communicating a message. A sign includes the sign faces as well as any sign supporting structure.

z. Sign Area or Face: The area of a sign enclosed by the perimeter upon which sign copy is placed. The computation details are described below:

1. Where the sign consists of individual letters, designs, or symbols that are attached individually and directly upon a wall without a change in color or appearance of the surface background, the area shall be that of the smallest rectangle which encompasses all of the letters, designs, and symbols.

2. In the case of panel or cabinet type signs, the sign area shall include the entire area of the sign panel or cabinet upon which the sign copy is displayed or illustrated, but not open space between separate panels or cabinets.
3. In the case of sign copy enclosed within a painted or illuminated border, or displayed on a background contrasting in color with the color of the building or structure, the sign face shall comprise the area within the contrasting background, or within the painted or illuminated border.

4. Only one side of a double-sided sign shall be considered when determining the sign area if the faces are equal in size and the interior angle formed by the faces is zero degrees.

5. Where the faces of a double-sided sign are not equal in size, but the interior angle formed by the faces is zero degrees, the larger sign face shall be used as the basis for calculating sign area.

6. When the interior angle of a double-sided sign formed by the faces is greater than zero degrees, all sides of such sign shall be considered in calculating the sign area.

7. The sign area for signs that are (or include) a three-dimensional object is calculated as the sum of two adjacent vertical faces of the smallest cube encompassing the sign or object.

aa. Sign Copy: The letters, figures, characters, representations, pictures or wording on a sign, including any identification, description, symbol, trademark, object, design, logo, illustration, or device comprising the content or message of a sign; or any emblem or painting designed to advertise, communicate, identify, or convey information.

bb. Sign Height: The vertical dimension of a sign. The computation details and relevant regulations are as follows:
   1. Sign height shall be measured as the distance from the highest portion of the sign to the mean finished grade of the street closest to the sign. In the case of a sign located greater than 100 feet from a public street, height shall be measured to the mean grade at the base of the sign.
   2. Clearance shall be measured as the smallest vertical distance between finished grade and the lowest point of the sign, including any framework or other structural elements that project from the wall.

cc. Snipe Sign (Also known as bandit sign): A sign tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, fences, public benches, streetlights, or other objects, or placed on any public property or in the public's rights-of-way or on any private property without the permission of the property owner.

dd. Streamers: A display made of lightweight, flexible materials, consisting of long, narrow, wavy strips hung individually or in a series, with or without a logo or advertising message printed or painted on them and typically designed to move in the wind.

ee. Temporary Sign: A sign that cannot be defined as a permanent sign. The only types of temporary signs permitted in the City of Rolla are listed under Subsection 42-244.7(b)

ff. Wall Sign (Also known a fascia sign, parallel wall sign, or band sign): A building-mounted sign, which is either attached to or displayed on an exterior wall in a manner parallel with the wall surface. A sign or banner installed on a roof, eave, canopy, or awning in a manner parallel with the structures surface is
also considered a wall sign. See projecting signs for signs that hang from such structures.

gg. Zoning District, Nonresidential: C-O, C-1, C-2, C-3, CC, M-1, M-2, Gl, and PUDs that contain commercial, office, civic, or industrial uses.

hh. Zoning District, Residential: R-R, R-1, R-2, R-3, R-3b, and PUDs that do not contain commercial, office, civic, or industrial uses.

SECTION 5. Section 42-244.2, Exempt Signs, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by deleting the following language:

The following signs shall not require the issuance of a sign permit, but must conform to other City codes. These signs are allowed in addition to all other signs allowed under this Article.

a. Address Numbers and Name Plates: Address numbers for each residential and business building shall not exceed one (1) square foot in effective area per character, and one (1) name plate not exceeding two (2) square feet in effective area per dwelling unit or business.

b. Banner Sign: A sign of lightweight, flexible fabric or similar material that is attached to a structure or building at one or more edges. National, state, and municipal flags, or the official flag of any other public or private entity, shall not be considered as banners. Banner signs may not be posted for more than thirty (30) days per four (4) month period per premise. (Ord. 3566, §5; Ord. 3611, §9)

c. Directional Signs: Detached on-premise directional signs that do not exceed five (5) square feet in effective area. No part of the sign shall exceed four (4) feet in height above finished grade, excluding berms or other landscaping features.

d. Flags: Any lightweight fabric, bunting, or similar highly flexible material containing the distinctive colors, patterns, or designs used as a symbol of any government, political subdivision, or other public or private entity. (Ord. 3611, §9)

e. Temporary Displays: Non commercial signs, flags, banners, or other materials displayed in conjunction with traditionally accepted patriotic, religious, or seasonal celebrations, holidays, community events, or charitable drives. (Ord. 3611, §9)

f. Government Signs: Any sign erected or maintained by or for any agency of government pursuant to and in discharge of any government function or required or authorized by law, ordinance, or governmental regulations.

g. Political Signs: Temporary political signs announcing the candidates seeking public office and other pertinent information. Political signs shall be removed within fourteen (14) days following a general election.

h. Internal Signs: Any on premise sign located entirely within a building. (Ord. 3611, §9)

i. Neighborhood Identification or Monument Sign: A detached sign, masonry wall, wooden support, landscaping or similar material or features which, when combined, form a display for neighborhood or tract identification.
consisting of the neighborhood, subdivision, tract, or historic district name. (Ord. 4068, §2)
j. Real Estate Sale, Lessee and Construction Signs: A detached or attached non illuminated temporary on-premise sign pertaining to the construction, sale, or lease of that premise, not to exceed thirty-four (34) square feet in effective area in the Rural Residential District or commercial or industrial zones and not to exceed six (6) square feet in effective area in other residential zones. Real estate, lessee and construction signs shall be removed within fourteen (14) days after closing of the sale or lease or within thirty (30) days after the completion of construction.
k. Vehicular Signs: Any permanently attached vehicular sign advertising a business which regularly uses the vehicle for transportation off-premise and is licensed by the State of Missouri for current operation.
l. Inflatable Display Objects: (Repealed by Ord. 3542, §2).
m. Miscellaneous Exempt Signs:
a. Signs located on machinery or equipment which are necessary and customary to a business, such as gasoline pumps or vending machines.
b. Temporary residential garage, estate, or public auction sale signs.
c. Signs used as part of a public bench provided it does not interfere with driver vision or pedestrian movement.
d. Signs on facilities located in public places that provide information that is incidental to a sponsored activity, such as a scoreboard or time clock.
e. Building memorial signs or tablets reflecting building names, construction dates, and other relevant information when cut into any masonry surface, cast in metal, or constructed of other non-combustible material.
f. On-premise attached bulletin boards no more than thirty-four (34) square feet in area for public, not-for-profit, or religious institutions. Such signs may only be internally illuminated.
g. Temporary attached or detached signs not exceeding six (6) square feet in effective area advertising drives or events of a charitable, educational, or religious nature, provided that such sign shall be posted only during the drive or event for no more than thirty (30) days per year.
h. Historic landmark signs attached to any locally or nationally designated historic site, landmark or used to identify an historic district.
i. Lettering painted on a window or door of a business; and window signs located inside a building, excluding flashing or animated illuminated signs.
j. Private parking signs not to exceed three (3) square feet in effective area.
k. Handicapped parking space signs not exceeding two (2) square feet in areas reserving parking for handicapped persons. (Ord. 4068, §2)
l. Public viewable artwork that does not include any commercial message or reference, such as murals or sculptures. (Ord. 4068, §2)
SECTION 6. Section 42-244.2, Exempt Signs, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by adding the following language:

The following signs are exempt from the provisions of this Division, unless otherwise noted, but must conform to all other federal, state, and local codes/rules, including building codes.

a. Any sign that is posted by a governmental unit on government property and any sign required by local, state, or federal law.

b. Any sign posted on the property of a public school district or public university if that sign is posted by the school district or university that owns such property.

c. Signs that are less than seven feet in height if the sign face is not visible from the public’s rights-of-way.

d. In nonresidential districts, any sign less than seven feet in height and that is more than 100 feet away from any lot line fronting a street.

e. In nonresidential districts, if the signs are four square feet or less in area and four feet or less in height, one pole sign at each exit and each entrance of any property.

f. Flags. This provision does not include banners or feather flags. However, flags and supporting structures that lawfully project into the public rights-of-way shall not hang below seven feet in height.

g. Internal signs, including lettering painted on or attached to a window or door and window signs located inside a building, but excluding flashing signs that do not conform to the regulations of this Division related to electronic message center signs.

h. Balloons (does not include balloon signs) that are less than 36 inches in diameter. Balloons that are deflated or faded will be deemed unmaintained and required to be removed.

i. A sign that is integrated into or on a coin-operated machine, credit-card machine, vending machine, gasoline pump, or telephone booth.

j. Decorations, except that they shall not be displayed for more than 120 days in a year.

k. Signs printed on or attached to a public bench if it does not interfere with driver vision or pedestrian movement and does not extend beyond the public bench’s structural width and height.

l. Signs carved into a building or raised in integral relief on a building.

SECTION 7. Section 42-244.3, Exempt Operations, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by deleting this Section’s title, Exempt Signs, and adding the following title to this Section:

Prohibited Signs

SECTION 8. Section 42-244.3, Prohibited Signs, which was formally known as Exempt Operations, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by deleting the following language:

I.A.45.
The following operations shall not require the issuance of a sign permit:

a. Changing the copy on an existing permitted sign which is specifically designed for the use of manually or automatically changeable copy, including billboard panels and posters; but not including changes in the structure, size, placement, or location of the sign, and

b. Maintenance, including repainting, cleaning, or other normal repair of an existing sign not involving structural changes in size, location, or placement.

SECTION 9. Section 42-244.3, Prohibited Signs, which was formally known as Exempt Operations, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by adding the following language:

The following signs are prohibited.

a. Flashing signs.

b. Signs that employ pyrotechnic or blue casting components and signs that emit smoke, visible vapors, particulate matter, or odor.

c. Signs that employ any searchlights or strobe lights and reflective signs or signs containing mirrors.

d. Signs that may be confused with or construed as a traffic control sign, signal, or device, or the light of an emergency vehicle or road equipment by reason of their size, location, movement, coloring, or manner of illumination.

e. Signs that shield from view any traffic control device, sign, signal or other government sign.

f. Snipe signs.

g. Vehicular signs. This regulation does not include operable vehicles primarily and actively used for business purposes and/or personal transportation.

h. Signs that are unlawful.

SECTION 10. Section 42-244.4, General Sign Provisions, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by deleting the following language:

a. Except where a building is located within the "CC" Center City District, no private sign shall be allowed to be located within or projecting over any public property. In the Center City District signs, whether attached or detached, shall not project beyond a vertical plane two (2) feet from the curb line and the bottom of said sign shall not be less than ten (10) feet above the highest level of the ground under the sign's lowest point.

b. The following signs are prohibited, which:
   1. Employ flashing or animated features;
   2. Employ any searchlights or strobe lights;
   3. May be confused with or construed as a traffic control sign, signal, or device, or the light of an emergency vehicle or road equipment by reason
of their size, location, movement, content, coloring, or manner of illumination; and

4. Shield from view any traffic control device, sign, signal or other government sign.

   c. Illuminated signs shall be designed, located, and constructed to reduce glare and shall not be placed to permit focused light to be directed or beamed upon a public right-of-way, so as to cause a traffic hazard, or adjacent premises not under the same ownership and control, so as to create a nuisance.

d. All signs, together with their supports, braces, connections, or anchors shall be kept in good repair. Unsafe signs, damaged, or deteriorated signs, or signs in danger of breaking apart or falling shall be removed or repaired by their owner upon written notice by the City.

e. Signs may be erected near the intersection of two (2) streets or a driveway/street intersection provided the location of such sign does not create a sight distance problem by obstructing the vision of motorists or pedestrians. The City Engineer shall make this determination.

   f. If required, an application to erect an on-premise sign shall be accompanied by a Sign Plan. Sign Plans shall be consistent with the requirements specified in Section 42-244.8(d). Plans Required. (Ord. 3414; Ord. 3493, §9)

   g. Setbacks for on and off-premise detached signs shall be located within the setbacks established for buildings and structures in accordance with their respective residential, commercial, or industrial zoning district standards. The minimum front and rear yard setback shall be ten (10) feet – five (5) feet for side yards. Setbacks for detached signs shall be measured from the property line to the edge of the vertical support structure for the sign. (Ord. 4068, §3)

   h. Electronic Message Center Signs (EMCS) (See Section 42-244.10) are not permitted for use in any residential zoning district. (Ord. 4068, §3)

SECTION 11. Section 42-244.4, General Sign Provisions, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by deleting the following language:

   a. Where compliance with the yard regulations cannot reasonably be accomplished because of irregular shaped lots or hillside lots; the Board of Adjustment may modify such regulations.

   b. Where an irregular shaped lot has more area than required for its particular district, lot width may be computed including the most usable portion satisfying the minimum area requirements. (Ord. 3414)

SECTION 12. Section 42-244.4, General Sign Provisions, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by adding the following language:

   a. On-Premises Signage. Permanent signage, except as authorized by Section 42-244.8 and signs authorized by federal and state law, shall only be on-premises
signage. Temporary signage shall be on-premises signage, except as authorized in Sections 42-244.5 and 42-244.6.

b. Messaging. Any signage authorized to be displayed by this ordinance may contain a noncommercial message.

c. Permitting Exceptions. The following operations shall not require the issuance of a sign permit:

1. Changing the copy on an existing conforming sign that has not been discontinued and that is specifically designed for the use of manually or digitally activated changeable copy sign, including billboard panels and posters; but not including changes in the structure, size, placement, or location of the sign, and

2. Maintenance, including repainting, cleaning, or other normal repair of an existing sign not involving structural alterations or changes in size, location, or placement.

d. Permitting Process. Except for exempt signs, all permanent signs, regardless of the fact that a building permit may be required for its erection/installation, require the submission and approval of an application for a sign permit and a sign site plan. Sign permits are not building permits for signs. Some signs may require building permits, even if they are exempt from this Division. Applications for sign permits or supporting material, such as elevations, shall indicate the type, number, size, shape, and dimensions of all of the existing and proposed signage on the premises. If needed, elevation views or other relevant information may be required. No sign permits shall be issued if the premises requesting the permit contains an illegal sign.

e. Site Plan Requirements. Sign site plans shall be provided as follows:

1. The site plan shall be drawn to scale or shall show the dimensions of all relevant objects/elements and show all the distances between all of the relevant objects/elements.

2. The site plan shall indicate the property lines of the premises and, in cases whereby signs are being placed in the rights-of-way, the site plan shall indicate the type of ROW surface, the location of the curblme, the sidewalk, and any objects within the ROW in front of the property subject to the proposal.

3. The site plan shall show the proposed location of each sign in relation to property lines, nearby buildings, walkways, streets, driveways and parking areas.

f. Sign Location and ROW. All signs and other objects regulated by or exempt from this Division, including merchandise, patio furniture, sign structures, flags, decorations, and temporary signs, must be erected/placed and attached totally on or within private property, except that if a tenant space is located in a nonresidential zoning district along the public’s rights-of-way and there is less than five feet between the full building frontage of the tenant space and the public’s rights-of-way, certain types of signs and other objects may be placed in or project over the public’s rights-of-way, but not in or over any roadway. Apart from all other provisions that apply, Subsection 42-244.7(f) and the
following provisions listed below describe the applicability and the restrictions of such an allowance:

1. Only wall signs, flags, streamers, and projecting signs shall be permitted to project over sidewalks. The minimum clearance of such objects shall be seven feet and the object shall not occupy space beyond a vertical plane of two feet from the curb line.

2. Only patio furniture, merchandise, and sandwich board signs are permitted on sidewalks. The maximum height for such signs/objects shall be five feet.

3. One flag or temporary freestanding sign may be located in each city-owned flowerpot if the sign is less than two square feet in area, the object does not exceed five feet in height when in the flowerpot, the flower pot is watered and maintained by the tenant, and those flowerpots are on a public sidewalk and abut the tenant space responsible for locating such a sign in said flowerpot.

4. See Subsection 42-244.7(f) for all other restrictions pertaining to this allowance.

g. Permission. The party constructing/installing/placing the sign or object on private property is responsible for obtaining the permission of the property owner before such action is taken.

h. Setbacks. Unless exempt by Subsection 42-244.4(f), all signs, including temporary signs and exempt signs, shall conform to the side and rear setback requirements of the zoning district they are located in. However, the front of the lot shall be defined as any lot line that fronts a street. Such signs shall have a minimum rear yard setback of ten feet and a minimum side yard setback of five feet.

i. Residential Protection. Even if a sign is exempt under Section 42-244.2, no sign that makes noise or is a freestanding sign that is more than seven feet tall shall be permitted in or within 100 feet of a residential zoning district that is not the public’s rights-of-way.

j. Illumination. All permanent signs may be unilluminated, internally illuminated, or externally illuminated. Externally lit signs shall be illuminated only with steady, stationary, and shielded light sources directed solely onto the sign. The illumination of signs shall not be brighter than is necessary for clear and adequate visibility. Illumination shall not exceed approximately 750 cd/m² or Nits at night. The illumination of signs shall not be of such intensity or brilliance as to impair the vision of a motor vehicle driver with average eyesight or to otherwise interfere with the driver’s operation of a motor vehicle.

k. Roof Signs and Sign Placement. In no instance shall a wall sign or projecting sign project above the eave line or beyond a wall edge, except for roof signs in the C-3 and C-C zoning districts.

l. Maintenance. All signs, together with their supports, braces, connections, or anchors shall be kept in good repair. Unsafe signs, damaged, or deteriorated signs, or signs in danger of breaking apart or falling shall be removed or repaired by their owner upon written notice by the City of Rolla.

m. Clearances.
1. Vision clearance areas: Vision clearance areas or triangles are triangular shaped areas located at the intersection of any combination of rights-of-way, alleys, or driveways. The size of the triangle shall be determined by the City Engineer. The vision or path of pedestrians, bicyclists, or motor-vehicle operators shall not be obstructed with any object regulated by or exempt from this Division. No object shall be located within any vision clearance triangle, the size of which is determined by the city engineer,

2. Clearances from fire escapes, means of egress or standpipes: Signs, sign structures and awnings are prohibited from being erected in any manner that interferes in any way with the free use of any fire escape, means of egress or standpipe. Attaching signs, sign structures or awnings to a fire escape is prohibited, unless such a sign is required for safety.

3. Obstruction of windows and ventilation: Signs, sign structures and awnings are prohibited from being installed in any way that obstructs any building openings to such an extent that light, ventilation, or exhaust are reduced to a level below that required by either the Building Code, Plumbing Regulations, Heating and Ventilating Regulations, or Housing and Maintenance Regulations.

n. Measurements. All lineal distances required by this Division shall be measured from the nearest outside edge of the subject sign, whether a support, structural member, or the sign surface itself, to the nearest outside edge of the corresponding sign, building, right-of-way, property line, easement, or other object/element involved. Other measurement specifications are within the definition section of this Division, Section 42-244.1.

o. Changeable Copy. Changeable copy, whether digitally or manually activated, is permitted only if it is integrated into a pole, ground, marquee, projecting, or wall sign. In addition, only manually activated changeable copy is permitted on sandwich board signs. See Section 42-244.10 for restrictions on the use of EMCs.

p. Movement. Mechanical movement and revolving signs are only permitted in nonresidential districts.

q. Rules for interpretation and applicability.
   1. When the word “sign” or “signs” is used in this Division it may also be referring to patio furniture, merchandise, and decorations.
   2. Where this Division is silent, or where the rules of this Division do not provide a basis for concluding that a sign is allowed, said sign is therefore prohibited.

**SECTION 13.** Section 42-244.5, **Provisions for Residential Zoning Districts**, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by deleting the title of this Section, Provisions for Residential Zoning Districts, and adding the following title:

Sign Regulations for Residential Zoning Districts
SECTION 14. Section 42-244.5, Sign Regulations for Residential Zoning Districts, which was formally known as Provisions for Residential Zoning Districts, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by deleting the following language:

a. General Provisions: Only on-premise signs are permitted. Signs may be internally illuminated.

b. Detached Signs: One (1) detached sign shall be allowed for each premise containing either a multi-family use (three (3) or more units) or a permitted non-residential use. No detached sign shall exceed sixty (60) square feet in effective area or fifteen (15) feet in height above grade, as measured from the highest part of the sign, excluding supports.

c. Attached Signs: One (1) attached sign shall be allowed for each premise containing a multi-family use or a permitted nonresidential use. The total effective area shall not exceed two (2) square feet of effective area per lineal foot of wall length upon which the sign shall be mounted. Attached signs shall not extend above the roof line or beyond the wall edge of the building.

SECTION 15. Section 42-244.5, Sign Regulations for Residential Zoning Districts, which was formally known as Provisions for Residential Zoning Districts, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by adding the following language:

a. Sign standards for properties within residential zoning districts containing single-family houses and duplexes, even if business is being conducted in the building:

   1. Type. Any wall sign or freestanding sign, as defined and limited in Subsection 42-244.1(i). No sign is permitted to have changeable copy. Off-premises temporary signage shall not be posted for more than 14 consecutive days in any given quarter of a year and such signage shall be removed within 14 days of receiving notice from the City of Rolla.
   2. Number and Sign Area. If the total sign area of all signs does not exceed 24 square feet, there is no limit on the number of signs permitted.
   3. Height. Freestanding signs shall be less than six feet in height and wall signs shall not project higher than the lowest eave line.

b. Sign standards for residentially-zoned properties that serve as the entrance/exit ways to subdivisions, contain multi-family complexes and condominium complexes, or contain permitted or nonconforming nonresidential uses that are not considered home occupations and are not located in single-family houses or duplexes:

   1. Type. Any wall sign or freestanding sign, as defined and limited in Subsection 42-244.1(j). Off-premise temporary signage shall not be posted for more than 14 consecutive days in any given quarter of a year and such signage shall be removed within 14 days of receiving notice from the City of Rolla.
2. Number and Sign Area. One wall sign is permitted on each building and one ground or pole sign is permitted per entrance/exit to a public street or, in the case of a subdivision, per entrance/exit to the subdivision. The maximum sign area of any one permanent sign is 64 square feet. An unlimited amount of temporary freestanding signs, as defined and limited in Subsection 42-244.1(i), is permitted if the total sign area of all temporary freestanding signs does not exceed 24 square feet.

3. Height. Ground and pole signs shall be limited to a maximum height of 15 feet. Temporary freestanding signs shall be limited to six feet in height.

SECTION 16. Section 42-244.6, Provisions for Signs in Non-Residential Zoning Districts, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by deleting the title of this Section, Provisions for Signs in Non-Residential Zoning Districts, and adding the following title:

Sign Regulations for Nonresidential Zoning Districts

SECTION 17. Section 42-244.6, Sign Regulations for Nonresidential Zoning Districts, which was formally known as Provisions for Signs in Non-Residential Zoning Districts, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by deleting the following language:

a. General Provisions: No sign shall be permitted within twenty-five (25) feet of a residential zoning district boundary line.

b. Signs permitted in "C-O" and "C-1" Districts:

1. Only on-premise detached and attached signs shall be permitted. Illuminated signs must be internally lit.

2. Permanently attached flush mounted wall signs may be used. The effective sign area available for a single premise shall be limited to two (2) square feet of effective sign area for each lineal foot of building frontage facing a street. In no case shall an attached wall mounted sign project above the roof line or beyond a wall edge. Flush mounted wall signs shall not extend further than eighteen (18) inches.

3. Projecting signs shall have a minimum clearance of ten (10) feet above grade as measured from the lowest part of the sign and shall not exceed twenty (20) square feet in effective area.

4. A premise shall be permitted one (1) detached sign. The sign shall be limited to a maximum effective area of one hundred (100) square feet and shall be limited to a maximum height of twenty (20) feet as measured from the highest part of the sign, excluding supports.

c. On-premise signs permitted in any "C-2, C-3, CC, M-1, or M-2" District:

1. All on-premise signs permitted in the preceding Section, except that a limit of four (4) square feet of effective area shall be permitted for each lineal foot of building frontage facing a street.

2. On-premise signs may be externally or internally illuminated.
3. Detached on-premise signs may have one (1) surface containing copy in each direction. The maximum effective area shall be four hundred (400) square feet.

4. A premise shall be permitted to use up to two (2) detached signs, provided that the signs shall be separated by a minimum spacing of at least five-hundred (500) feet on the same side of the street between all other off-premise or on premise detached signs and are prohibited within one hundred twenty-five feet (125) of any residential zone. Premises may use detached, internally illuminated, menu board signs that do not front on a public right-of-way in addition to other exempt or permitted detached signs.

5. All detached signs shall be limited to a maximum height of forty (40) feet as measured from the highest part of the sign, excluding supports.

SECTION 18. Section 42-244.6, Sign Regulations for Nonresidential Zoning Districts, which was formally known as Provisions for Signs in Non-Residential Zoning Districts, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by adding the following language:

a. General Provisions:
   1. In addition to the signs listed in Subsections 42-244.6(b) and 42-244.6(c), properties within nonresidential zoning districts are permitted temporary/portable signs, as regulated in Section 42-244.7.
   2. Each building, not individual tenants, are permitted a maximum amount of area for wall signs. The owner(s) of the premises may divide and distribute the allowable sign area in any way she/he/they chooses. It is the responsibility of the person/entity posting the sign to obtain permission from the owner to install/locate a sign of a certain size on the owner’s property.

b. Sign standards for properties located in C-O and C-1 Districts:
   1. Type. Pole signs, ground signs, projecting signs, and wall signs shall be permitted.
   2. Number. Each premises is permitted an unlimited amount of wall signs and is permitted one projecting sign for each tenant space. In addition, all premises are permitted two permanent freestanding signs (i.e. ground signs and pole signs) if there is a distance of 500 feet or more between the two signs. Corner lots and parcels shall be permitted one permanent freestanding sign per street frontage, up to two signs, if each sign is located along a different street, regardless of distance between the two signs. Otherwise, there must be 500 feet of separation between the signs in order for two signs to be permitted on such premises.
   3. Sign Area. Maximum wall sign area shall be determined by multiplying the lineal feet of building frontage facing a street by two square feet. Projecting signs shall not exceed 20 square feet in area, regardless of the amount of other signage on the premises. Each Pole or ground sign shall be limited to 100 square feet each.
4. Height and Clearance. Ground and pole signs shall be limited to a maximum height of 20 feet. Projecting signs shall have a minimum clearance of seven feet.

c. Sign standards properties located in C-2, C-3, CC, M-1, M-2, or GI Zoning Districts and, unless otherwise restricted by a final development plan, any PUDs with commercial, industrial, or civic uses:

1. Type. Same as Subsection 42-244.6(b)(1), except that mechanical movement and revolving signs are also permitted. In addition, roof signs are only permitted in C-3 and C-C zoning districts and such signs will be considered wall signs in the calculation of maximum sign area. If a mechanical movement or revolving sign is not attached to a building it will be considered a projecting sign and if such signs are not connected to a building, they will be considered a permanent freestanding sign (i.e. ground signs and pole signs).

2. Number. Same as Subsection 42-244.6(b)(2).

3. Sign Area. Maximum wall sign area shall be determined by multiplying the lineal feet of building frontage facing a street by four square feet. Projecting signs shall not exceed 20 square feet in area, regardless of the amount of other signage on the premises. Each Pole or ground sign shall be limited to 400 square feet each.

4. Height and Clearance. Ground and pole signs shall be limited to a maximum height of 40 feet. Roof signs shall not exceed the building height limit of the zoning district in which the sign is located. Projecting signs shall have a clearance of seven feet.

SECTION 19. Section 42-244.7, Temporary Portable Signs, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by deleting the title of this Section, Provisions for Signs in Non-Residential Zoning Districts, and adding the following title:

Temporary and Portable Signs

SECTION 20. Section 42-244.7, Temporary and Portable Signs, which was formally known as Temporary Portable Signs, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by deleting the following language:

a. All temporary portable non-exempt signs are prohibited. The owner(s) of the premise where any temporary portable sign is located or displayed made non-conforming as a result of the adoption of this ordinance shall have sixty (60) days following the said adoption to comply with the provisions of the Planning and Zoning Code, as per the provisions of Section 42-244.9 (g). Non-Conforming Signs. (Ord. 3611, §10)

b. No temporary portable sign may be located in any parking stall, driveway, or in any required landscaping area. Temporary portable signs may not be attached to any light pole, tree, telephone pole, column, or other structure, excluding signs placed in windows.
c. In the event a permanent sign is substantially damaged through fire, flood, act of God, insurrection or similar emergency beyond the control of the business owner or occupant, a temporary portable sign shall be allowed for a period of time not to exceed ninety (90) days.

**SECTION 21.** Section 42-244.7, *Temporary and Portable Signs*, which was formally known as Temporary Portable Signs, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by adding the following language:

The following provisions apply to nonresidential zoning districts only. Temporary signs that comply with the requirements of Section 42-244.7 shall not be included in the determination of the type, number, or area of the signs permitted on a property per Subsections 42-244.6(b) and 42-244.6(c). The following restrictions apply to all temporary and portable sign placement/installation/construction.

a. **Each tenant space on a property in a nonresidential district is permitted to locate two temporary signs on such a property**, except that when a tenant locates a balloon sign or inflatable sign on the property, the tenant shall not locate any other temporary or portable sign on the property. Off-premise temporary signage shall not be posted for more than 14 consecutive days in any given quarter of a year and such signage shall be removed within 14 days of receiving notice from the City of Rolla.

b. Tenants may only choose from the following types of temporary and portable signs:
   1. Temporary freestanding signs
   2. Banners, if not considered a wall sign per Subsection 42-244.1(ff)
   3. Balloon signs
   4. Inflatable signs
   5. Feather flags
   6. Sandwich board signs
   7. Streamers

c. **Area restrictions by sign type:**
   1. Temporary freestanding signs, banners, and feather flags shall not exceed 32 square feet.
   2. Sandwich board signs shall not exceed 16 square feet
   3. Inflatable signs and balloon signs are limited to 75 square feet (See Subsection 42-244.1(z)(7) for the method of calculating area for three-dimensional objects).

d. **Height restrictions by sign type:**
   1. Temporary freestanding signs and sandwich board signs shall be limited to five feet in height.
   2. Feather Flags, balloon signs, banners, streamers, and inflatable signs shall be limited to 24 feet in height.

c. **General restrictions:**
   1. The party posting the temporary sign is solely responsible for obtaining the permission of the property owner before posting their temporary sign.
2. Except for movement caused by air compressors for inflatable signs, mechanical motion, illumination, EMC technology, and electronically activated changeable copy is prohibited.

3. Manual changeable copy is only permitted when integrated into a sandwich board sign.

4. Inflatable signs, feather flags, and balloon signs shall have a minimum setback requirement from all lot lines that is equal to its height. All other temporary/portable signs, except when certain such signs are permitted within the sidewalk area, must conform to the same setback requirements to which permanent signs must conform.

5. Inflatable signs are not permitted within 100 feet of a residential zoning district and air compressors (and other noisy motors associated with any sign) must be turned off between the hours of 11 P.M. to 7 A.M.

6. No temporary or portable sign that is more than seven feet tall shall be permitted within 100 feet of a residential zoning district.

7. Vehicular signs are prohibited, except that the use of business logos, identification, or advertising on operable vehicles primarily and actively used for business purposes and/or personal transportation is permitted.

8. Signs located on patio furniture, merchandise, or the structures on or from which such merchandise sits or hangs, respectively, shall be considered temporary signs and count towards the total temporary/portable signage permitted per property.

f. Sidewalk restrictions. If permitted by Subsection 42-244.4(f), the following restrictions apply:

1. If signs are permitted on sidewalks, signs shall only be located on the sidewalk space that abuts the tenant space that is permitted to locate such signs on such sidewalks.

2. No object shall obstruct a continuous through pedestrian zone of at least five feet in width.

3. All permitted signs that are on a public sidewalk shall be located within 12 feet of the primary public entrance of the tenant's establishment.

4. Sandwich board signs shall be weighted, temporarily secured, or strategically placed to avoid being carried away by high winds.

5. Sandwich board signs and merchandise shall not be displayed on any sidewalk during hours of non-operation.

6. No signs shall obstruct pedestrian and wheelchair access from the sidewalk to parking spaces or access ramps designated for people with disabilities or building exits, including fire escapes.

g. Installation and Maintenance

1. All signs/objects must be installed such that, in the opinion of Rolla's building official, they do not create a safety hazard.
2. All signs must be made of durable materials and shall be well maintained. Signs that are frayed, torn, broken, or that are no longer legible will be deemed unmaintained and required to be removed.

3. Owner or tenant will be given one warning for violating any of the provisions pertaining to temporary/portable signs. After the initial warning, all subsequent violations may result in the issuance of a citation without any further notice in perpetuity.

SECTION 22. Section 42-244.8, Off-Premises Sign (Third-party sign, billboard, or outdoor advertising), of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby reinstated as follows:

Permanent off-premise signage shall comply with all the requirements of this Division and shall only be permitted upon property having frontage on either Interstate 44, Highway 63, or Business Loop 44, and zoned C-3, M-1, or M-2. Within areas zoned Planned Unit Development District or property in any zoning district upon which a conditional use permit has been issued in the above mentioned corridors, such advertising structures shall only be permitted when specifically authorized upon the final development plan or permit approval. (Ord. 3414)

a. Area, Height, Location – Interstate 44:
   1. The maximum height of a billboard along Interstate 44 shall not exceed 45 feet. No part of structure shall extend below 15 feet.
   2. The maximum surface area along Interstate 44 shall be 672 square feet with a maximum sign height of 20 feet and a maximum sign width of 48 feet. The sign shall be limited to two signs in each direction with one message per sign. In no case will the total sign surface in any one direction exceed 672 square feet.
   3. Sign spacing along I-44 shall be 500 linearal feet per side of the highway.

b. Area, Height, Location - Highway 63 and Business Loop 44:
   1. The maximum height of a billboard along Highway 63 and Business Loop 44 shall be 30 feet. The maximum surface area of a billboard along Highway 63 and Business Loop 44 shall be 192 square feet surface on each side with a maximum sign height of 12 feet and a maximum sign width of 24 feet. No part of the structure shall extend below 15 feet.
   2. Sign spacing along Highway 63 and Business Loop-44 shall be one thousand 1000 lineal feet per side.
   3. Billboards along Business Loop 44 and Highway 63 shall not exceed two sign surfaces, one surface in each direction, with 192 square feet surface on each side and not more than two advertising faces on each side.
   4. No sign shall be located within 1000 feet of a residential zoning district.
   5. The minimum front yard setback for such signs shall be 15 feet from any public right-of-way and/or private roadway easement. The
maximum setback for such sign shall be 50 feet from the public right of way.

c. Restrictions for all highways:
   1. External lighting of billboards, such as floodlights, thin line, and goose-neck reflectors are permitted, provided the light source is directed upon the face of the sign and is effectively shielded so as to prevent beams or rays of light from being directed toward any residential structure or into any portion of the main travel way. The lights should not be of such intensity so as to interfere with the residential use of property or to cause glare, impair the vision of the driver of a motor vehicle, or otherwise interfere with a driver's operation of a motor vehicle.
   2. No such sign shall be located in such a manner as to obstruct or otherwise interfere with the effectiveness of an official traffic sign, signal, or device or obstruct or physically interfere with a motor vehicle operator's view of approaching, merging, or intersecting traffic.
   3. No part of any billboard shall be located on any public street or private utility easement, drainage easement, or railroad right-of-way.
   4. All lineal distances required by this Division shall be measured from the nearest outside edge of the subject sign, whether a support, structural member, or the sign surface itself, to the nearest outside edge of the corresponding sign, building, right-of-way, or easement involved.

d. Plans Required: An application to erect such a sign shall include the following:
   1. A set of plans, to scale, approved and sealed by a licensed engineer, providing all necessary construction and electrical details of the sign and sign structure, including height.
   2. A Sign Plan, to scale containing:
      - The proposed location of the sign on the property.
      - The distance from the proposed sign location to any buildings upon the property, and adjoining street right-of-way lines, and driveway entrances.
      - In conditional use areas, the distance from the proposed sign location to the next nearest billboard sign within 100 feet on either side of the street in either direction.
      - The distance from the proposed sign location to the nearest street intersection in either direction.
      - Other information deemed necessary by city officials.
   3. A representation of the proposed sign, to scale, including the width and length of the sign faces, and height from surrounding grade.
   4. Construction Specifications: Any sign erected under this Article shall be a single pedestal type, constructed of non-flammable material, excluding wood. Construction of the sign and material
specifications shall meet the structural requirements of the City's Building Code.

SECTION 23. Section 42-244.9, Nonconforming Signs, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by deleting the following language:

a. All nonconforming attached and detached on-premise signs, including such signs existing pursuant to variances granted by the Board of Adjustment before June 1, 1999, shall, at the owner’s expense, be removed or altered/moved in a way that brings the sign into conformance with the provisions of this Article before receiving any sign permits for existing or proposed signs with the one following exception. If the nonconforming sign has not been discontinued and the sign face is not enlarged, minor modifications and repairs may be made and the sign face may be altered or changed, but the sign shall not be moved unless moving the sign will allow it to into conformance with this Article. In addition, no structural alterations may be made to an on-premise sign. If structural alteration is needed to maintain structural integrity, the sign shall be removed and no building or sign permits shall be issued until its removal. A sign shall be considered discontinued if, for one year, the services or products advertised are no longer available at the destination or if the sign no longer has an advertising message other than the name of the sign owner on any part of the sign (Beginning dates of discontinuance can be validated by identifying the termination date of business licenses). (Ord. 4068, §4)

b. If the sign face of a nonconforming, off-premise sign is not enlarged, minor modifications and repairs may be made and the sign face may be altered or changed, but the sign shall not be moved unless moving the sign will allow it to into conformance with this Article. In addition, no structural alterations shall be permitted. If structural alteration is needed to maintain the sign’s structural integrity, the sign shall be removed and no building or sign permits shall be issued until its removal.

c. In cases of doubt or on a specific question raised whether a nonconforming sign exists, it shall be a question of fact decided by the Codes Administrator, and subject to appeal to the Board of Adjustment.

SECTION 24. Section 42-244.9, Nonconforming Signs, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by adding the following language:

Nonconforming signs are signs that do not conform to this Division, yet were legally established prior to the adoption of this Division. The burden of proof will be on the property owner to show that the sign was legally established. Nonconforming signs, including those existing pursuant to variances granted by the Board of Adjustment before June 1, 1999, may continue to exist after passage of this Division if they maintain their nonconforming status. Nonconforming signs will be removed and/or changed in accordance with the provisions of this Section.
a. Permanent signs and sign structures that are moved, removed, replaced, or structurally altered, as defined in the Definitions Section of this Article, must be brought into conformance with the sign regulations. However, nonconforming signs required to be moved because of public right-of-way improvements may be reestablished. Removable faces or sign panel inserts in a cabinet style sign may also be changed by right, and such change does not constitute a structural alteration nor trigger loss of nonconforming status.

b. Nonconforming temporary signs must be removed within 30 days of the passage of this language.

c. Once a sign is altered to conform or is replaced with a conforming sign, the nonconforming rights for that sign are lost and a nonconforming sign may not be re-established.

d. Loss of nonconforming sign status.

1. If a sign is discontinued, it loses its nonconforming status. Except for signs that were legally established as Billboards according to state and/or federal law, a sign shall be considered discontinued if, for one year, the services or products advertised are no longer available at the destination or if the sign no longer has an advertising message other than the name of the sign owner on any part of the sign (Beginning dates of discontinuance can be validated by identifying the termination date of business licenses).

2. Destruction. When a sign or sign structure is removed or intentionally destroyed, replacement signs and sign structures must comply with the current standards. However, if a sign or sign structure that has nonconforming elements is partially or totally damaged by fire or other causes beyond the control of the owner, the sign and sign structure may be rebuilt to the same size and height using the same materials.

e. Once a sign loses its nonconforming status, it must be removed before any other permits for signs shall be issued for the premises on which the sign that has lost its nonconforming status exists.

f. If structural alteration is needed to maintain the sign's structural integrity, the sign shall be removed and no building or sign permits shall be issued until its removal.

g. In cases of doubt or on a specific question raised whether a nonconforming sign exists, it shall be a question of fact decided by the Codes Administrator and such a determination shall be subject to appeal to the Board of Adjustment.

SECTION 25. Section 42-244.10, Electronic Message Center Signs, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by deleting the following language:

An EMCS is defined as any sign or portion of a sign that uses changing lights to form a sign message or messages in text form or by video image display wherein
the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes. The definition includes standard television screens, plasma display panel (PDP) screens, digital (HDTV) screens, flat panel display screens, light-emitting diode (LED) screens, video boards, and holographic 2 or 3D animation presentation displays. (Ord. 3982, §2)

a. Portable or temporary EMCS are prohibited. The use EMCS shall be further restricted by the additional standards in this section and the lighting standards in Section 42-244.4, General Sign Provisions. (Ord. 3982, §2)

b. An EMCS may be used with other sign types and the area of the EMCS shall be included in the calculation to determine total permitted sign advertising area for a specific business application. (Ord. 3982, §2)

c. Advertising messages, information, images and background shall remain in a fixed static position for a minimum of eight (8) seconds. The change sequence must be accomplished within an interval of two (2) seconds or less. (Ord. 3982, §2)

d. The EMCS shall have an automatic dimmer (factory set to the illumination intensities as follows) and a photo cell sensor to adjust the illumination intensity of brilliance of the sign so that it shall not cause glare or impair the vision of motorists, and shall not interfere with any driver’s operation of a motor vehicle. The sign shall not exceed a maximum illumination of seven thousand five hundred (7,500) nits (candelas per square meter) during daylight hours and a maximum illumination of five hundred (500) nits between dusk to dawn as measured from the sign’s face at maximum brightness. Any external illumination devices shall be effectively shielded so as to prevent beams or rays of light from being directed at any portion or a street or highway or any residential use. (Ord. 3982, §2)

e. No moving, rotating, fluttering, blinking, or flashing elements are permitted. No animation, video, audio, pyrotechnic, or blue casting components are permitted. “Blue casting” refers to any digital media transmitter device provisioned over Bluetooth used to send an unsolicited electronic message directly to any cell phone within range if switched on. The EMCS shall not display any message that moves, appears to move, scrolls, or changes in light intensity during the fixed display period. (Ord. 3982, §2)

f. The MECS shall contain a default sign design that will freeze the sign in one (1) position if a malfunction occurs to avoid flashing. (Ord. 3982, §2)

SECTION 26. Section 42-244.10, Electronic Message Center Signs, of Division 18 of Article III of Chapter 42 of the Rolla City Code is hereby amended by adding the following language:

In nonresidential zones, Electronic Message Centers (EMCs), which includes electronically activated changeable copy signs and signs that imitate movement through electronic means, are permitted in accordance with the permitted sign area regulations of the district in which the sign is located. The following restrictions apply:
a. With the exception of flashing signs and full motion video or film display via an electronic file imported into the EMC software or streamed in real time into the EMC, EMC display features and functions are permitted in nonresidential zoning districts only.

b. No EMCs are permitted within 100 feet of any residential zone.

c. An EMC sign may be a portion or comprise the entirety of the sign face of a wall sign, pole sign, ground sign, or projecting sign. No other types of sign shall be integrated with EMC or other digital display technology.

d. All EMC signs shall have automatic dimming controls, either by photocell (hardwired) or via software settings, in order to bring the EMC lighting level at night into compliance with sign illumination standards of this division in Subsection 42-244.4(j).

SECTION 27. Section 42-207.2, Use Limitations, of Division 15 of Article III of Chapter 42 of the Rolla City Code is hereby reinstated as follows:

a. No person other than someone related by blood, marriage, adoption or custodial relationship to the person conducting the home occupation and who also resides in the dwelling unit shall be employed in the home occupation;

b. The home occupation shall be conducted entirely within the principal residential building and shall be limited to one room;

c. No manufacturing or processing of any sort whatsoever shall be done, except as permitted by Section 42-207.2. (6);

d. No stock in trade, except articles produced by members of the family residing on the premises, shall be stored on the premises;

e. No alteration of the principal residential building shall be made which changes the character thereof as a dwelling;

f. The home occupation shall not produce offensive noise, vibration, smoke, electrical interference, dust, odors or heat. Any noise, vibration, smoke, electrical interference, dust odors, or heat detectable beyond the property lines or beyond the walls of the dwelling unit, if the unit is part of a multifamily structure, shall constitute a violation;

g. No mechanical or electrical equipment other than normal domestic or household equipment shall be used;

h. There shall be no outdoor storage of equipment or materials used in the home occupation;

i. The receipt or delivery of merchandise, goods or supplies for use in a home occupation shall be limited to the United States mail, similar parcel delivery service, or private vehicles with a gross vehicle weight rating of 24,000 pounds or less; and

j. Not more than one commercial vehicle utilized in the business shall be parked on site.

APPROVED:

__________________________
Mayor

ATTEST:

__________________________
City Clerk

APPROVED AS TO FORM:

__________________________
City Counselor
Rolla and the site selection process

How are leads generated?

1. Individually marketing the community by "Knocking on doors"
   - Needle in a haystack—expensive and ineffective for small communities
     - Trade show booths: $10,000-$30,000.
     - Talking to sales people
   - Media—gets lost among so many others

2. Utilize the Mo-Partnership (Mo-Par)—state's marketing and recruitment arm.
   - 1st challenge—get company to look at Missouri
   - 50% of companies rely on consultants/brokers: 1st stop for companies looking at the state
     - Reach out to site consultants and companies worldwide—they have the budget.
   - Able to partner on consultant outreach events
     - Toronto trip in October
Mo-Par sends out leads across the state

**Process:**
1. Company’s requirements relayed to Mo-Par. (May be one of several states)
   - Based on company’s needs and requirements
   - Statewide, Metro areas, specific sections of the state
   - Due to suppliers, customers, transportation, and
   - More than ever—availability of workforce
2. Mo-Par sends Requests for Information
3. Communities submit potential buildings and sites that best fit the RFI
   - General overview of available incentives
4. Mo-Par selects best top 5, 10 or all—Consultants preference
5. Consultant requests additional information
   - Community incentives discussed in more detail
6. Site visit
7. Steps 5 & 6 may be repeated several times

Company establishes requirements?

1. General location based on company’s needs
   - What country, section of country, state, section of state, metropolitan and/or rural?
2. #1 on the list is now—where will I most likely find a labor pool?
   - Location! Location! Location! ---is now
   - Workforce! Skilled Labor! Talent!
3. Is there a building or building site available
4. How does it meet other company specific needs—weighted in decision making
   - Hartmann Example—next slide
### Main Criteria | Importance | Sub-Criteria
--- | --- | ---
Proximity to Market & Raw Materials | 50% | Proximity to Significant Egg Production: 2 to 3 Days Transit Time
Proximity to Raw Materials: Recycled Paper Materials (Within 4 Hours)
Proximity to Raw Materials: Wheat Farming (Within 4 Hours)
Infrastructure | 30% | Major Highways
Size and Configuration of Site & Facility
Reliable and Quality Utility Service: Landfill or Waste Water
2 Hour Access to Tier 1 or Tier 2 Airport
Total Project & Operating Costs | 20% | Utility Costs
Labor Costs
Real Estate & Operating Costs
Sustainable Business Operation | 10% | Labor Availability
Labor Markets
Cost & Quality of Living
Close Proximity of Workforce to Plant

---

### How has that translated to Rolla area?

- **Number of new company's locating in Mo.**
  - Not as many as you may think
  - Metro area have the advantage

- Since January 2017
  - Mo Par worked 78 projects
  - Less than half available to Rolla area.
What are Rolla’s challenges?

Labor pool—

The St. Louis Community College State of the Workforce 2018 report:

• Midwest has 20 percent more job openings than job seekers
• St. Louis region had over 45,000 open positions in July (2018).

Kiplinger’s Oct. 17, 2018

• There are now 1 million more vacancies than there are unemployed Americans. Openings are especially high in retail, construction, food services, health care, transportation and warehousing.

2015 Rolla Labor Basin Study

• In 11 county area population of 318,403 of which only 75,069 are the Available Labor Pool.

Availability of properties---

<table>
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<tr>
<th>Requests for Information</th>
<th>18 (2 either/or)</th>
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<tr>
<td>Buildings</td>
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<tr>
<td>Existing Operations</td>
<td>5</td>
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<tr>
<td>Greenfield Site</td>
<td>3</td>
</tr>
<tr>
<td>Rail Served</td>
<td>4</td>
</tr>
<tr>
<td>Submitted Rolla location</td>
<td>4</td>
</tr>
</tbody>
</table>

Our inventory—

47,000 sq. ft. building, suitable for warehouse of distribution.
2-3 small developed sites in Hy Point West Airport acreage far from I-44
Assorted other undeveloped sites; nothing over 60 acres.
Plan of Action

- Continue a focused marketing strategy with Mo Partnership
  - Utilize the Canadian connections made during Toronto trip
  - Collaboration with 2 other communities to focus on a specific area to target
- Stronger focus on retaining and growing our existing companies
  - Continue to build relationships and address problems
- Adding a workforce awareness component to RREC
  - New board member—1st time—workforce development
  - Collaborating with Chamber to promote quality of life as a component of retaining and attracting labor pool.
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A STATEMENT BY THE
BOARD OF PUBLIC WORKS

The Electric Power and Water System of the City of Rolla will be known as the ROLLA MUNICIPAL UTILITIES. Mr. J. B. Bronson will continue as general manager.

It will be the policy of the Board to operate the Rolla Municipal Utilities strictly on a business basis. There will be no change in the general policies of the management. All rates will be the same for the present.

The Board has three primary obligations:

1. To give the best possible service to the Citizens of Rolla.
2. To accumulate funds for the payment of the indebtedness. (Bond Issue and Revenue Certificates).
3. To build up reserve funds for any emergency and for replacement of machinery and equipment.

Regarding Service Interruptions:

This trouble is not in the local system, but in the source of supply. We hope eventually to have other sources of supply available and improve the electric service in Rolla.

Beginning immediately, $1000.00 per month from the profits will be paid to the General Fund of the City of Rolla, which is to replace the Franchise Tax formerly paid by the Missouri General Utilities.

No merchandise will be sold in competition with local merchants.

No repair service will be maintained in competition with local Electric Service men.

Next Monday, November 12th, our offices will open in our new building, formerly the Negro U. S. O Building, 102 W. 9th Street. All business will be transacted from this location after that date. The Rolla Free Public Library will occupy the second floor, and the State Board of Health and the County Agent the basement of this building. These quarters are furnished to the above organizations without cost as a public service of the Rolla Municipal Utilities.

Rolla Board of Public Works

H. E. CASTLEMAN, President
F. H. FRAME, Vice-President
R. E. SCHUMAN, Secretary
F. A. CAMERON, Member
FOURTH QUARTER FINANCIAL RECAP (Unaudited)

OPERATING INCOME and EXPENSES

<table>
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<th>4th Quarter FYTD 2017</th>
<th>4th Quarter FYTD 2018</th>
<th>CHANGE</th>
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<tr>
<td>OPERATING REVENUES</td>
<td>$29,239,187</td>
<td>$31,617,615</td>
<td>$2,378,428</td>
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<tr>
<td>OPERATING EXPENSES</td>
<td>($29,084,019)</td>
<td>($30,244,915)</td>
<td>($1,160,896)</td>
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<tr>
<td>OPERATING INCOME</td>
<td>$155,168</td>
<td>$1,372,700</td>
<td>$1,217,532</td>
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<tr>
<td>OTHER INCOME &amp; EXP.</td>
<td>$522,029</td>
<td>$1,271,787</td>
<td>$749,758</td>
</tr>
<tr>
<td>NET INCOME</td>
<td>$677,197</td>
<td>$2,644,487</td>
<td>$1,967,290</td>
</tr>
</tbody>
</table>

Upon completion of the fourth quarter of FY 2018, Operating Revenues are up $2,378,428 compared to last year. Operating Expenses are up $1,160,896 for the same period resulting in an Operating Income of $1,372,700, which is up $1,217,532. When combined with miscellaneous income and expenses, RMU experienced a Net income of $2,644,487 which is up $1,967,290 as compared to the fourth quarter of FY2017.
STATUS OF PENDING PROJECTS

ELECTRIC DEPARTMENT

- ELECTRICAL EXTENSIONS/UPGRADES

Transformer testing – Started and completed, September 21, 2018.

Phelps County Jail, 2\textsuperscript{nd} and Rolla Street – Installed underground primary conductor, transformer, and meter. Started September 25, 2018. Completed October 3, 2018.

Phelps County Regional Medical Center parking lot improvements - Installed poles, transformer, and meters. Started October 9, 2018. Ongoing.


Street light pole, 12\textsuperscript{th} and Pine Street – Replaced decorative street light pole.

**ELECTRIC GENERATION**


**WATER DEPARTMENT**

**WATER MAIN INSTALLATION**

6\textsuperscript{th} Street – Elm to Walnut – Replaced existing mains and shared long service with 8" and 12" PVC mains in conjunction with City’s street reconstruction. Installed 60 feet of 6" PVC, 840 feet of 8" PVC, 1560 feet of 12" PVC. Started May 14, 2018. Completed July 25, 2018.

10\textsuperscript{th} Street – Asher to Spring; Spring to Bishop – Replaced existing mains with 8" and 16" PVC. Started August 8, 2018. Completed October 24, 2018.


Water meter conversion to radio reads – Completed to date 5,012. 81% complete. Started November 20, 2017. Ongoing.

**5 WATER TAPS**

**5 FIRE HYDRANTS**

**FIBER/SCADA**

Reconfigured existing fiber system to allow for short term deletion of portion of system along Kingshighway and Faulkner.

**MISCELLANEOUS**

AS of October 24, 2018, RMU has thirty (30) metered customers signed-up along with additional customers inquiring about the Solar Communities Missouri program. RMU is promoting the program by providing yard signage to customers and publicizing through the RMU newsletter and RMU Facebook page in hopes of future participation. Currently, RMU is the only MoPEP city participating in the program.

Street repairs for RMU water project, 6\textsuperscript{th} and Walnut Street (July) – 236.23 tons at a cost of $25,205.62
Public Power Week was celebrated October 11, 2018 with RMU's third annual Public Power Celebration Day. Lunch was served along with giveaways and a drawing for customer utilities credit in the amounts of $50, $100, and $200.

- Parking lot asphalt repair for Highway 72 water main improvements – 2,869.88 square feet at a cost of $11,192.53.
- Street repairs for RMU water projects (September) – 64.44 tons at a cost of $6,057.36
- Street repairs for RMU water projects, 10th Street water main replacement (October) – 302.45 tons at a cost of $27,220.50.

TRAINING/PERSONNEL

- APPA's RP3 Application Workshop – Held in Columbia, MO August 1, 2018 with one RMU employee attending.
- Missouri Water & Wastewater Conference Technical program held in Jefferson City, MO August 2-3, 2018 with three RMU employees attending.
- MPUA Apprentice Lineman Training held in Kansas City, MO September 5-6, 2018 with one RMU employee attending.
- MPUA Apprentice Lineman Training held in Kansas City, MO September 26, 27, 2018 with two RMU employees attending.
- MPUA Apprentice Lineman Training held in Paragould, AR October 10-11, 2018 with one RMU employee attending.
- MPUA Apprentice Lineman Training held in Paragould, AR October 17-18, 2018 with one RMU employee attending.
- CPR/AED training held September 26, 2018 for new hires.
- MPUA Advanced Journeyman Lineman training held in Rolla, MO October 24, 2018 with fifteen RMU employees attending.
- RMU Staff Engineer resigned August 11, 2018.

PRESENTATIONS
- RMU's Solar Communities program held at Rolla Lions Club August 30, 2018.
- MS&T Water Resources class held September 7, 2018

MPUA/MoPEP UPDATES

- A check for $3,240.25 was received from Missouri Joint Municipal Electric Utility Commission in conjunction with the 2010 Ameren UE-MISO cities settlement. This completes the ninth year of a ten year settlement. To date, Rolla has received $56,759.26 in membership rebates as a result of MPUA's action.
- Missouri Supreme Court ruled that the Public Service Commission incorrectly denied a Certificate of Need and Necessity for the Grain Belt Express transmission lines. Initially, the Public Service Commission denied the project but will now need to reconsider.
SUBJECT: An ordinance to approve the Final Plat of St. Maria’s Tatandra, which is a major subdivision plat that divides an approximately 42-acre tract of land that is identified by the Phelps County Assessor’s Account Number of 12081, into 58 lots and five outlots.

APPLICANT: The parcel subject to the proposed ordinance (the subject parcel) is owned by St. Maria’s LLC (the applicant), and its mailing address is 1703 North Bishop Avenue Rolla, Missouri 65402. The surveyor/agent that signed on behalf of the company’s registered agent, Mike Woessner, was Sylvester Furse of Archer-Elgin Surveying.

LOCATION: The subject property is located in Rolla, Missouri, approximately 250 feet north of the intersection of Liberty Drive and McCutchen Drive (See Figure 1 for a general location map). The parcel is identified by the Phelps County Assessor’s Account Number of 12081.

PROJECT DESCRIPTION: In June of 2018, the City Council approved the annexation of the subject parcel, the simultaneous zoning of the subject parcel to the Multi-Family (zoning) District (R-3), and a development agreement between the developer, St. Maria’s LLC, and the City of Rolla (The City). The Development Agreement limits future development on the subject parcel to about 5.5 units per acre in gross density and nine units per acre in net density, which is close to the maximum density of the Two-Family District. Limitations on density are the result of the provisions that are located in Item 11 of the Development Agreement, “Planning and Zoning”, which states that no more than 58 lots for residential use will be created and no more than a fourplex will be constructed on each residential lot. The Final Plat map (See Figure 2) for this project reflects this mandate. As indicated through application materials, meetings, and a presentation/Q&A with neighboring residents/property owners, the applicant will develop the subject parcel as a low-density, amenity-rich (will include a dog park, natural areas, and a clubhouse) subdivision. The development will be controlled by a Declaration of Covenants and Restrictions (the Declaration) document that includes restrictions on dwelling type and building exterior. Type is limited to single, double, triple, or quadruple dwelling units. Each unit is required to have a one-car garage and exteriors are limited to brick/stone and non-metal roofs.

PROCESS:
CODE: According to Section 42-25.2 of the Rolla City Code (the Code), once the preliminary plat is approved, the applicant shall prepare a final plat together with development plans for the required public improvements and submit these items to the Community Development Director (the Director). The Director shall determine if the final plat is in substantial conformance to the...
SUBSTANTIAL CONFORMANCE: The Planning & Zoning Commission (P&Z Commission) and City Council approved the preliminary plat in August of 2018. The final plat was found to be in substantial conformance with the preliminary plat by the Interim Community Development Director, which permits the final plat to be considered by the City Council. The differences that were found between the preliminary plat and the final plat are as follows. There is one less sidewalk easement from St. Maria’s Street to Outlot B (the dog park) in the final plat than there was in the preliminary plat (three to two). In addition, Lot 23 from the preliminary plat is now Outlot E in the final plat (four outlots to five outlots). Lastly, whereas there were 15 lots on the block that encloses Outlot B in the preliminary plat, the final plat has 16 lots enclosing Outlot B. The lots enclosing the outlot were resized and reconfigured in way that does not change the size of the block or the acreage of the lots or outlot. The final plat and preliminary plat contain 58 residential lots. However, instead of the 58 lots having a total square footage of 1,132,019, they are now 1,120,126 square feet in size. Thus, the total acreage of the residential lots has been reduced by 11,893 square feet since the approval of the preliminary plat

SUBDIVISION STANDARDS CONFORMANCE ANALYSIS: Below, one will find comments on the Preliminary Plat’s conformance with subdivision standards found throughout Article II of Chapter 42 of the Code, Subdivisions.

SECTION 42-26.2. STREETS: Listed below comments that pertain to elements of the proposal that were uniquely considered.

Subsection 3 of Streets mandates all subdivision of 25 or more to have two means of ingress and egress to the subdivision using a public street. While the development only has one point of ingress/egress using a public street, through discussion at the Development Review Committee (DRC) meetings for the approval of the development agreement and with the approval of the Fire Chief, a private, gated 20-foot gravel secondary emergency access road to connect the dead-end to Liberty Drive. This provision is detailed in item 8(A) of the Development Agreement. The P&Z granted a variance for this deviation

Subsection 11 of Streets states that “[larger than ordinary lots] shall be arranged so as to allow the opening of future streets and future subdivision”. While large tracts were created, these “outlots” are not to be developed as residential lots and would not need to be able to accommodate new streets or subdivisions. At the request of the City, the applicant has provided a plat note that restricts the use of these outlets accordingly (See Figure 2 Cont. for plat notes).
Subsection 13 of Streets states that street grades shall not exceed nine percent for minor streets. Road Profile A of the first draft of the Development Plans shows a 400-foot stretch of road that exceeds the nine percent maximum grade for minor roads (approx. 12%). The City Engineer and the Fire Chief indicated that they do not oppose the variance from this standard that was issued by the P&Z to the applicant.

SECTION 42-26.6. LOTS: Listed below comments that pertain to elements of the proposal that were uniquely considered.

Subsection 1 of Lots states that “Lot dimensions shall conform to the requirements of the zoning ordinance minimum standards...” The agent of the applicant on behalf of the applicant requested a variance that would allow the front and side yards of corner lots to be determined by building orientation (this variance was granted by the P&Z) instead of by the definition of the term “Front of Lot”. To ensure the setback lines on the Final Plat do not contradict building permits that are issued for these corner lots, staff asked the P&Z to issue a condition of the approval the variances be that the setback lines are not delineated on said plat for said corner lots. This condition was granted by the P&Z.

Subsection 2 of Lots states the following:

All lots, parcels, or tracts shall abut by their full frontage on a publicly dedicated street right-of-way. As an option for non-residential development, access to a publicly dedicated street may be provided through a recorded private cross or access easement of sufficient width to accommodate emergency vehicles, to permit the installation of utilities, to provide access for public services...

All residential lots of the Final Plat and all outlots, except for Outlot B, have frontage on a publicly dedicated street right-of-way. Outlot B will be a dog park and, as indicated on said plat, there will be two 15-foot sidewalk easements into this lot. The sidewalks will be paved. Fire Chief was satisfied with access to lots.

SECTION 42-29. SUBDIVISION IMPROVEMENTS: Refer to the development agreement and see the comment memo from Rolla Municipal Utilities (RMU) in Figure 4 and the Public Works plat memo (Figure 3) for relevant comments pertaining to public improvements and utilities. The Final Development Plans have been approved.

PARKLAND DEDICATION: At the request of the City, the applicant has placed a note on the preliminary plat that states the sum of the square footage of all 58 residential lots (nonresidential lots are not included in parkland dedication) and states that this square footage was used to calculate the in-lieu fee parkland payment. The total square footage of said lots is 1,120,126. Seven percent (used for multi-family development) of that square footage is 1.80001882 acres, which, if multiplied by $15,000, is $27,000.28, which the developer will pay before the final plat is recorded.

DECLARATION OF COVENANTS AND RESTRICTIONS: Within the Development Agreement, Item 10, there are provisions that refer to Sections 42-218 through 42-218.3. These
provisions detail the rules that the applicant must follow in regards to property owners’ associations, covenants/by-laws, and maintenance of commonly owned property. Documents that detail how a developer will comply with such rules, in this case, a declaration of covenants and restrictions, shall be approved before any final plat is recorded. Within the Development Agreement, it is stated that common property will not become a nuisance and that the maintenance of open space will never become the City’s responsibility. In addition, according to Section 42-218.3, developer maintenance responsibility shall be specifically indicated in a letter of agreement. The Development Agreement serves to satisfy this requirement. It was found that this document conforms to the Sections 42-218 through 42-218.3 of the Rolla City Code.

**PUBLIC COMMENTS:** No protest petitions have been filed. However, at the P&Z meeting that considered the preliminary plat, Judy Jepsen said that she had been on the Board of Adjustment for two terms and that she does not recall any variance proposals for such types of development. She said that variances are typically requested by individual owners who seek relief from the zoning ordinance due to hardship. At the P&Z and City Council meetings that considered the preliminary plat, one of the agents of the applicant, Cameron Schweiss, explained the variance requests in more detail than was included in the variance request letter.

**ACTION REQUIRED:** By a three to eight vote, the majority of the City Council voted to approve the Preliminary Plat of St. Maria’s Tatandra. The action requested from the City Council is to conduct the final reading of an ordinance that would approve the Final Plat of St. Maria’s Tatandra.
Figure 1, SUB18-08, General Location Map
DEVELOPMENT NOTES

The following use restrictions shall apply to all land within this subdivision until otherwise authorized by the City of Rolla:

Outlot C (clubhouse lot) shall not be permitted to be used for residential, commercial, or industrial uses. Outlot C shall be permitted to be used for noncommercial, private not-for-profit residential neighborhood facilities, including indoor and outdoor recreational facilities, community centers, offices of property owners associations and maintenance facilities operated by a neighborhood or community organization or property owners association, in accordance with Section 42-214.

Outlots A, D and E (natural area lots) shall not be permitted to be used for commercial, residential, or industrial purposes. Outlots A, D and E shall be permitted to be used as open space.

Outlot B (Dog Park) shall not be permitted to be used for commercial, residential, or industrial purposes. Outlot B shall be permitted to be used as a private park.

The total square footage of Lots 1 through 58 equals 1,120,128 square feet. This quantity was used to calculate the fee-in-lieu of parkland dedication fee.

VARIANCES

The City of Rolla Planning and Zoning Commission met on August 14, 2018, and approved the following three variances to the subdivision design standards:

1. A Variance from the maximum street grade requirement found in Section 42-26.2(13) of the Rolla City Code to allow an approximate 400-foot section of road from Sta. 17+00 to Sta. 21+00 to exceed the nine percent maximum grade for minor streets, but to not exceed 12 percent.

2. A variance to allow the future building orientation to determine applicability of “front yard” and “side yard” setbacks on corner lots.

3. A variance from the requirement for all subdivisions of 25 lots or more to provide two means of egress/ingress with a public street, Section 42-26.2(3). Instead, the developer shall provide a secondary access to the development through a private, gated 20-foot gravel secondary emergency access road.
Memo

TO: Community Development
FROM: Everett Briggs/Public Works Staff
Cc: Sylvester Furse, SH, DP, DJ, DF, TF, AM and File
DATE: October 24, 2018
SUBJECT: Review of the Final Plat St. Maria’s Tatandra

The public works staff has completed review of the above referenced plat and except for the following finds it to be in accordance with City of Rolla, Missouri Subdivision codes. The City of Rolla Codes can be accessed online at www.rollacity.org and then click on the city ordinance button. PLEASE NOTE THAT WE HAVE RECEIVED THE FINAL DEVELOPMENT PLANS AND THEY ARE BEING REVIEWED AT THIS TIME.

1) Based on the R-3 zoning of this subdivision the Land Development Permit fee would be calculated as follows: \[ \text{LDP Fee} = 600 + (\text{Area disturbed in Acres} \times 150 \text{ per acre}) \]

2) The Public Works Director has determined that on site storm water detention facilities will be required for this development. Therefore, a fee in lieu of storm water detention facilities will not be due on this subdivision.

3) The out boundary of the tract as labeled meets closure requirements.
**MEMO**

To: James Shields  
From: Nathan Randolph  
Subject: Development Review Committee  
Date: October 30, 2018

RMU has reviewed the articles submitted for discussion at the October 30, 2018 meeting and provides the following comments:

1. **St. Maria’s Final Plat:** RMU is in the process of reviewing the final plat and utility system improvements proposed by the developer. There are some refinements to the project plans still under review but we anticipate being able to provide approval in the very near future.

2. **New Sign Ordinance:** RMU has no comments on the changes to this proposed ordinance.

3. **Thoennes Lot reconfiguration:** The property owner needs to make provisions for water service to both lots, but most notably Lot 2 since the water service will be either a long service in street right-of-way or will require a private easement from Lot 1.

4. **Krishnavillas lot consolidation:** RMU is requesting easement along the east boundary of what are currently Lot 2. There is currently a 10' utility easement along the eastern property line from the south property line north to the south boundary of Gale Drive. RMU’s request is to extend the easement west so that the west side of the easement is at least 10 feet west of the curb to accommodate installation of a new water main at a later date to replace the existing main. The proposed easement would still need to be located from the south boundary of current Lot 2 north to the south boundary of Gale Drive.

cc: Rodney Bourne, RMU General Manager  
    Chad Davis, RMU Operations Manager
ORDINANCE NO. 

AN ORDINANCE TO APPROVE THE FINAL PLAT OF ST. MARIA’S TATANDRA, WHICH IS A MAJOR SUBDIVISION PLAT THAT DIVIDES AN APPROXIMATELY 42-ACRE TRACT OF LAND THAT IS IDENTIFIED BY THE PHELPS COUNTY ASSESSOR’S ACCOUNT NUMBER OF 12081, INTO 58 LOTS AND FIVE OUTLOTS.

(ST. MARIA’S TATANDRA)

WHEREAS, a public notice was duly published on October 20, 2018, in the Rolla Daily News that, in accordance with law, provided notice that a public hearing on this ordinance, which is an ordinance to approve the Final Plat of St. Maria’s Tatandra, would be held at Rolla City Hall, 901 North Elm Street, Rolla, Missouri, at 6:30 P.M. on November 5, 2018; and

WHEREAS, the Rolla City Council, during its meeting held on November 5, 2018, conducted a public hearing on this ordinance; and

WHEREAS, the Planning and Zoning Commission met on August 14, 2018, and, with a majority vote, agreed to make the recommendation to the City Council that St. Maria’s Declaration of Covenants & Restrictions and the Preliminary Plat of St. Maria’s Tatandra be approved; and

WHEREAS, the City Council met on August 20, 2018, and, through a resolution, with a majority vote, approved the Preliminary Plat of St. Maria’s Tatandra; and

WHEREAS, the Planning and Zoning Commission met on August 14, 2018, and, with a majority vote, agreed to grant the three following variances on the conditions that these three variances be noted on the Final Plat and that the setback lines for the corner lots within the subdivision not be drawn on the Final Plat:

1. A Variance from the maximum street grade requirement found in Section 42-26.2(13) of the Rolla City Code to allow an approximate 400-foot section of road from Sta. 17+00 to Sta. 21+00 to exceed the nine percent maximum grade for minor streets, but to not exceed 12 percent.

2. A variance to allow the future building orientation to determine applicability of “front yard” and “side yard” setbacks on corner lots.

3. A variance from the requirement for all subdivisions of 25 lots or more to provide two means of egress/ingress with a public street, Section 42-26.2(3). Instead, the developer shall provide a secondary access to the development through a private, gated 20-foot gravel secondary emergency access road.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AS FOLLOWS:

SECTION 1: That the property within the boundary of the Final Plat of St. Maria’s Tatandra, be divided into 58 lots and five outlots.
SECTION 2: That no construction may be commenced upon any land within the Final Plat of St. Maria’s Tatandra until all necessary building construction permits have been issued by the City of Rolla, Missouri, and that no such permits shall be issued for any lot within said subdivision of land until all public improvements appertaining to such lots or until a cash bond equal to the reasonable costs of completing such public improvements has been received and approved by the City of Rolla, Missouri.

SECTION 3: That all use restrictions stated on the plat shall be in full force and effect from and after the date of this ordinance’s passage.

SECTION 4: That no building or construction permits shall be issued to any lot or outlots within the boundary of the Final Plat of St. Maria’s Tatandra until, all else equal, said plat is recorded in the Phelps County Recorder of Deeds and that said plat shall not be recorded until the fees in-lieu of parkland dedication have been paid and Section 42-30 of the Rolla City Code concerning public improvements has been satisfied.

SECTION 5: That this ordinance shall be in full force and effect from and after the date of its passage.


APPROVED: __________________________

ATTEST: __________________________

MAYOR

CITY CLERK

APPROVED AS TO FORM:

CITY COUNSELOR
CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT: Community Development  ACTION REQUESTED: First Reading

SUBJECT: A request to consolidate Lots 2, 3, and part of 6 of Block 5 of Newman’s Addition, which, together, currently constitute two deeded parcels that are identified by their Phelps County Assessor Account Numbers of 8200 and 8199 and by the addresses of 300/302 Rhodes Avenue and 203 South Olive Street, into two lots.

(Thoennes Addition)

MEETING DATE: 11-19-2018

GENERAL INFORMATION:
CASE NUMBER: SUB18-09  SUBMISSION DATE: 10-19-2018
LEGAL AD DATE: NA  300-FOOT NOTICE: NA

APPLICANT: The parcels subject to this proposal (the subject parcels) are owned by Brandon &, Jessica &, Michael &, Mary Thoennes. The agent and surveyor for this project is Sylvester Furse of Archer-Elgin Surveying and Engineering, LLC.

LOCATION: The two subject parcels constitute two subdivided lots and a fraction of another. The two deeded parcels, the subject parcels, that constitute these lots are identified by their Phelps County Assessor Account Numbers of 8200 (parcel to the south) and 8199 (parcel to the north). The subject parcels are located on the southeast side of the intersection of Olive Street and Rhodes Avenue (See Figure 1 for a general location map and Figure 2 for the site map).

CURRENT USE/ZONING: The subject parcels are within the Multi-Family District (R-3). There are two structures on parcel 8199 and parcel 8200 is vacant. The agent has indicated that the larger of the structures (structure on the west side of parcel 8199) has been used as a church in the past, but is now vacant and that the smaller of the two structures (structure on the east side of parcel 8199) has been used as single-family home and may occupied at this time.

PROJECT DESCRIPTION & ANALYSIS: The applicant is planning to sell the structure to the east as a single-family house. In order to do this without including the structure to the west, which would technically make the use of the lot multi-family or mixed-use, the parcel must be on its own lot. If this plat were approved, the lot’s (Lot 2 on the Final Plat in Figure 3) use would be single-family. If the plat were approved, Lot 1 would become a vacant church on its own lot that could be rehabilitated for other purposes, such as a residential unit. Any new construction or change of use on Lot 1 would require hard-surface parking. While Lot 1 will not have access to the alley, it would have access on Olive Street and Rhodes Avenue. In their current configuration, the subject parcels are undersized and have insufficient width to meet the area requirements R-3. If the plat were approved, the result would be that there is no net change in the number of undersized, width-deficient lots. Lot 1 and Lot 2 would remain undersized and width-deficient. Comment memos from Rolla Municipal Utilities and the Public Works Department have been submitted and can be found in Figure 4 and Figure 5, respectively, and the agent will submit a revised plat soon.

\[ A. \]
PUBLIC COMMENTS: No protest petitions or comments have been filed to this department.

ACTION REQUIRED: Unanimously, the Planning & Zoning Commission recommended the approval of the applicant’s proposal. The actions required from the City Council is to conduct the first reading of an ordinance that would approve the Final Plat of Thoennes Addition.
Figure 1, SUB18-09, General Location Map
**THOENNES LOT RECONFIGURATION: Site Details**

- **Existing Nonconforming Status**: Two undersized lots that do not meet minimum lot widths and end with ( ).
- **Nonconforming Status of Lots after Proposal**: Two undersized lots that do not meet minimum lot widths.
- **Result**: No net change in number of undersized/width-deficient lots.
- **Existing Structures**: One single-Family home and one Structure that was used as a church.
Figure 3, SUB18-09, First Draft of Plat Map
MEMO

To: James Shields
From: Nathan Randolph
Subject: Development Review Committee
Date: October 30, 2018

RMU has reviewed the articles submitted for discussion at the October 30, 2018 meeting and provides the following comments:

1. **St. Maria's Final Plat**: RMU is in the process of reviewing the final plat and utility system improvements proposed by the developer. There are some refinements to the project plans still under review but we anticipate being able to provide approval in the very near future.

2. **New Sign Ordinance**: RMU has no comments on the changes to this proposed ordinance.

3. **Thoennes Lot reconfiguration**: The property owner needs to make provisions for water service to both lots, but most notably Lot 2 since the water service will be either a long service in street right-of-way or will require a private easement from Lot 1.

4. **Krishnavillas Lot consolidation**: RMU is requesting easement along the east boundary of what are currently Lot 2. There is currently a 10’ utility easement along the eastern property line from the south property line north to the south boundary of Gale Drive. RMU’s request is to extend the easement west so that the west side of the easement is at least 10 feet west of the curb to accommodate installation of a new water main at a later date to replace the existing main. The proposed easement would still need to be located from the south boundary of current Lot 2 north to the south boundary of Gale Drive.

cc: Rodney Bourne, RMU General Manager
Chad Davis, RMU Operations Manager
Memo

TO: Community Development

FROM: Everett Briggs/Public Works Staff

Cc: Sylvester Furse, SH, DP, DJ, DF, TF, AM and File

DATE: October 24, 2018

SUBJECT: Final Plat Review of Thoennes Addition

The public works staff has completed review of the above referenced plat and except for the following finds it to be in accordance with City of Rolla, Missouri Subdivision codes. The City of Rolla Codes can be accessed online at [www.rollacity.org](http://www.rollacity.org) and then click on the city ordinance button.

1) The size of this development is less than one acre and will not require a Land Development Permit. However, all Best Management Practices (BMP’s) should be used to insure that sediment does not leave the construction site.

2) This is a minor re-subdivision of an existing platted subdivision and as such a fee in lieu of Storm Water Detention facilities will not be necessary.

3) The out boundary of the tract as labeled meets closure requirements.
ORDINANCE NO. ________

AN ORDINANCE TO CONSOLIDATE LOTS 2, 3, AND PART OF 6 OF BLOCK 5 OF NEWMAN'S ADDITION, WHICH, TOGETHER, CURRENTLY CONSTITUTE TWO DEEDED PARCELS THAT ARE IDENTIFIED BY THEIR PHELPS COUNTY ASSESSOR ACCOUNT NUMBERS OF 8200 AND 8199 AND BY THE ADDRESSES OF 300/302 RHODES AVENUE AND 203 SOUTH OLIVE STREET, INTO TWO LOTS.

(THOENNES ADDITION)

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AS FOLLOWS:

SECTION 1: An ordinance to consolidate Lots 2, 3, and part of 6 of Block 5 of Newman's Addition, which, together, currently constitute two deeded parcels that are identified by their Phelps County Assessor Account Numbers of 8200 and 8199 and by the addresses of 300/302 Rhodes Avenue and 203 South Olive Street, into two lots.

SECTION 2: That this ordinance shall be in full force and effect from and after the date of its passage and approval. Building permits may not be issued by the Community Development Department until the revised plat has been filed with the Phelps County Recorder of Deeds and, if required, development plans for public improvements have been approved by the Public Works Director.


APPROVED:

__________________________
Mayor

ATTEST:

__________________________
City Clerk

APPROVED AS TO FORM:

__________________________
City Counselor

IV. A. 8.
Commentary:

Attached is an updated Memo of Understanding (M.O.U.) between the Rolla Police Department and the South Central Drug Task Force (SCDTF) for continued cooperation in the enforcement of drug and controlled substance laws. The SCDTF has been in operation for many years under the general authority of the MO State Highway Patrol and plays a vital role in keeping our communities safe from drugs.

Recommendation:

Resolution authorizing the mayor to sign this M.O.U.
RESOLUTION NO. _________

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE ON BEHALF OF THE CITY OF ROLLA, MISSOURI, A CERTAIN AGREEMENT AND FIDUCIARY AGREEMENT BETWEEN THE CITY OF ROLLA, MISSOURI, AND THE SOUTH CENTRAL DRUG TASK FORCE.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AS FOLLOWS:

Section 1: That the Mayor of the City of Rolla, Missouri be and is hereby authorized and directed to execute, on behalf of the City of Rolla, Missouri, a certain agreement and fiduciary agreement between the City of Rolla, Missouri, and the South Central Drug Task Force, a copy of said agreements being attached hereto.

Section 2: That this resolution shall be in full force and effect from and after the date of its passage and approval.


APPROVED:

__________________________
MAYOR

ATTEST:

__________________________
CITY CLERK

APPROVED AS TO FORM:

__________________________
CITY COUNSELOR

IV. B.a.
INTERAGENCY AGREEMENT

The undersigned South Central Drug Task Force and the City of Rolla do now enter into this agreement for the enforcement of drug and controlled substance laws, and to facilitate greater cooperation in providing more effective law enforcement protection to the public against those who engage in trafficking or narcotics and dangerous drugs.

The undersigned parties agree to the following:

I. PARTIES
   Parties in this agreement are:

   A. SOUTH CENTRAL DRUG TASK FORCE, STATE OF MISSOURI

   B. CITY OF ROLLA
      The Task Force Coordinator, or his/her designee, from the aforementioned agencies will be point of contact for their respective agencies.

II. PURPOSE
   The primary purpose of this agreement is:
   A. To allow for greater enforcement coverage of drug and controlled substance laws by facilitating cooperation between the South Central Drug Task Force and the City of Rolla, MO. This will be accomplished by:

      1. Permitting law enforcement officers of the Rolla, MO Police Department to enter into this agreement.
      2. Providing state laws of reciprocal powers and privileges to law enforcement officers of the Rolla, MO Police Department.

   B. To provide officers of the Rolla, MO Police Department, in conjunction with the South Central Drug Task Force, further liaison with local, state, and federal law enforcement agencies for improved deconfliction, drug investigations coordination, and drug intelligence sharing.

III. LIABILITIES AND OBLIGATIONS
   A. The parties undersigned agree that the officers of the Rolla, MO Police Department shall remain employed by the City of Rolla, and the City of Rolla agrees to supply the necessary equipment needs and compensation of these officers for services rendered, regardless of where those services were rendered, provided the officers were on duty and acting in the furtherance of that duty.

   B. The parties undersigned agree that, except in exigent circumstances, law enforcement officers covered by this agreement will notify the task force coordinator supervising the anticipated area of operation, or their designee, prior to operating inside a secondary coverage area.
C. The parties undersigned agree that each and every officer covered by this agreement will adhere to all laws of the State of Missouri and the United States of America. Each participating agency is responsible for taking steps to ensure their employed officers are familiar with the applicable criminal laws and procedural rules applicable to narcotics investigations in the area they operate.

D. The parties undersigned agree the officers covered by this agreement will report to their task force coordinator, or designee, as soon as possible, any incident, accident, or conduct, that may reflect unfavorably upon any party of this agreement.

IV. **TERMINATION OF AGREEMENT**

Any party may withdraw from this agreement thirty days after providing written notice of withdrawal to all other parties, or this agreement will remain in effect until such time. Any modification of this agreement requires written approval by governing bodies of both agencies.

V. **EFFECTIVE DATE**

The effective date of the agreement shall be the later date of the signings of the parties.

[Signature]
Project Director,
South Central Drug Task Force

Date: 10/17/2018

[Signature]
Mayor Louis J. Magdits IV
City of Rolla

Date:___________________
Fiduciary Agreement

The City of Rolla on behalf of the RPD has agreed to act as a fiduciary on behalf of the SCDTF. This agreement outlines the fiduciary requirements for both the City of Rolla and RPD for receiving, maintaining, and expending funds awarded to RPD through the Department of Justice (Justice) and Department of the Treasury (Treasury) Equitable Sharing Programs (Program):

**Participation**

- RPD must be a compliant Program participant and must be a member of the SCDTF.
- The City of Rolla and RPD understand that no federal agency personnel, if involved, may have command or control over or direct the use of Program funds. RPD may receive Program funds as a result of its participation in Task Force as well as funds awarded based on its assistance in other investigations.

**Maintenance of funds**

- The City of Rolla and RPD must ensure that a separate account or account code is maintained solely for Justice and solely for Treasury.
- All RPD awarded funds, regardless of whether awarded on behalf of SCDTF participation or other investigations, are maintained in each respective Justice or Treasury account.
- The City of Rolla and RPD will ensure that Program funds are not commingled with funds from any other source, including other federal funds, state forfeiture, OCDETF reimbursements, or general funds.
- The City of Rolla and RPD will submit an Equitable Sharing Agreement and Certification (ESAC) form through the eShare Portal within 60 days of the end of the jurisdiction’s fiscal year.

**Expenditures**

- All expenditures in support of SCDTF and RPD must be approved by the agency head or designee and must be in accordance with the Guide to Equitable Sharing for State and Local Law Enforcement Agencies (Guide) and any subsequent updates, as well as all jurisdiction purchasing policies.
- All expenditures of federally shared funds will follow the jurisdiction’s procurement policies.

**Compliance and audits**

- All expenditures in support of SCDTF and RPD must be reported on the jurisdiction’s Schedule of Expenditures for Federal Awards (SEFA) under Catalog of Federal Domestic Assistance (CFDA) number 16.922 for Justice and 21.016 for Treasury for inclusion in the jurisdiction’s Single Audit.
• Transfers of Program funds to other member agencies is prohibited. A waiver from the Justice Money Laundering and Asset Recovery Section (MLARS) or Treasury Executive Office for Asset Forfeiture (TEOAF) must be obtained if a transfer be needed. Any authorized transfer of funds is subject to subrecipient monitoring requirements, pursuant to the OMB Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance) 2 C.F.R. Part 200 § 200.330-332.

• All accounting practices and internal controls must be in accordance with the Guide and Uniform Guidance, 2 C.F.R. § 200.303.

Dissolution

• In the event SCDTF disbands, all funds awarded to RPD shall remain with RPD unless an agreement to transfer remaining SCDTF earmarked funds to the member agencies is made between all participants. A waiver must be obtained from MLARS or TEOAF to transfer any funds and all transferred funds will be subject to sub-recipient monitoring.

Authorization

• A vote authorizing the City of Rolla to act on behalf of SCDTF as the fiduciary agent was taken and approved by the Board of Directors of the South Central Drug Task Force on August 29, 2018.

By signing below, the City of Rolla and RPD acknowledge that each party understands this agreement and will comply with all policies set forth in the Guide and the Uniform Guidance.

I agree to comply with all policies and requirements set forth in the Guide and in the above agreement. I understand that violations of this policy may result in temporary or permanent suspension from the Program.
Justin Sherfy owns an 8-plex on County Road 5030 just outside the Shady Oaks Sewer District. He has approached the Shady Oaks chairman regarding possible annexation of this tract into the district. The chairman is agreeable as is the County Commission.

Before I proceed with preparing the documents for the annexation resolution by the County Commission I am requesting direction from the City Council. As part of the agreement, the City Council must agree to any expansions of the district boundaries in any of the sewer districts. Mr. Sherfy is aware that he would be responsible for all costs associated with connecting the 8-plex to the Shady Oaks sewer system.

Staff recommends approving this request by motion.
Proposed Annexation Legend

Shady Oaks Sewer District

Forcemain
Manhole
Lift Station
House #s

No Service
Sewerline

November 14, 2018
DEPARTMENT HEAD: Brady Wilson ACTION: Bid Award

ITEM/SUBJECT: One 10 Cubic-yard Packer Truck

BUDGET APPROPRIATION: $120,000 DATE: November 19, 2018

**************************************************************************

COMMENTARY:

In keeping with the Department’s fleet replacement schedule, sealed bids were recently solicited for the purchase of one new 10 cubic-yard packer truck. The proposed purchase would replace an existing 2009 model. The bids that were received have been reviewed for completeness and are tabulated below.

After reviewing the bids, staff recommends purchasing the lowest bid truck that meets the required specifications which is the 2020 Freightliner with a Nu-Way body offered by Elliott Equipment of Grandview, Missouri for $118,515. Staff recommends selling the existing truck on govedeals.com once the new truck is received.

10 CUBIC-YARD PACKER TRUCK

BIDS FOR CAB, CHASSIS AND REFUSE BODY:

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Item \( \sqrt{A} \).
Commentary:

In keeping with the Department’s fleet replacement schedule, bids were recently solicited for the purchase of one new 20 cubic-yard sanitation truck. The proposed purchase would replace an existing 2009 model. The bids that were received have been reviewed for compliance and completeness and are tabulated below.

After reviewing the bids, staff is recommending purchase of the lowest bid that complies with the minimum required specifications which is the 2019 International with a Loadmaster body offered by Scheppers International of Jefferson City, MO for $153,397.34. Once the new truck is received, the existing truck would be offered for sale on govdeals.com.

### 20 Cubic-Yard Packard Truck

**Bids for Cab, Chassis and Refuse Body**

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Make/Model</th>
<th>Purchase Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Armstrong Equip.</td>
<td>2019 Freightliner w/ Heil body</td>
<td>$154,695</td>
</tr>
<tr>
<td>Arnold, MO</td>
<td>2019 International w/ Heil body</td>
<td>$164,617</td>
</tr>
<tr>
<td></td>
<td>2019 Kenworth w/ Heil body</td>
<td>$166,177</td>
</tr>
<tr>
<td>Downing Sales Phillipsburg, MO</td>
<td>2020 Freightliner w/ Pakmor body</td>
<td>$145,759</td>
</tr>
<tr>
<td></td>
<td>2020 International w/ Pakmor body</td>
<td>$150,896</td>
</tr>
<tr>
<td>Elliott Equipment</td>
<td>2020 Freightliner w/ Nu-Way body</td>
<td>$148,975</td>
</tr>
<tr>
<td>Grandview, MO</td>
<td>2020 International w/ Nu-Way body</td>
<td>$149,892</td>
</tr>
<tr>
<td>Scheppers International</td>
<td>2019 International w/ Loadmaster body</td>
<td>$153,397.34</td>
</tr>
<tr>
<td>Jefferson City, MO</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Truck Component Services</td>
<td>2020 Freightliner w/ Loadmaster body</td>
<td>$153,825.34</td>
</tr>
<tr>
<td>Strafford, MO</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Item **V. B. 1.**
CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT HEAD: Brady Wilson ACTION: Bid Award
ITEM/SUBJECT: One Roll-Off Hoist Truck
BUDGET APPROPRIATION: $125,000 DATE: November 19, 2018

COMMENTARY:

In keeping with the Department’s fleet replacement schedule, sealed bids were recently solicited for the purchase of one new roll-off hoist truck. The proposed purchase would replace an existing 2004 model. The bids that were received have been reviewed for completeness and are tabulated below.

After reviewing the bids, staff recommends purchasing the lowest bid truck for $124,936 which is the 2019 Freightliner with a Galbreath hoist offered by Armor Equipment of Arnold, Missouri. Once the new truck is received, the existing truck would be offered for sale on govdeals.com.

ROLL-OFF TRUCK

BIDS FOR CAB, CHASSIS AND HOIST BED:

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Make/Model</th>
<th>Purchase Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Armor Equip. Arnold, MO</td>
<td>2019 International w/ Galbreath Hoist</td>
<td>$127,495</td>
</tr>
<tr>
<td></td>
<td><strong>2019 Freightliner w/ Galbreath Hoist</strong></td>
<td><strong>$124,936</strong></td>
</tr>
<tr>
<td></td>
<td>2019 Kenworth w/ Galbreath Hoist</td>
<td>$140,407</td>
</tr>
<tr>
<td></td>
<td>2019 Volvo w/ Galbreath Hoist</td>
<td>$152,737</td>
</tr>
<tr>
<td></td>
<td>2020 Volvo w/ Galbreath Hoist</td>
<td>$150,895</td>
</tr>
<tr>
<td>Downing Sales Phillipsburg, MO</td>
<td>2020 Freightliner w/ USA Hoist</td>
<td>$125,497</td>
</tr>
<tr>
<td></td>
<td>2020 International w/ USA Hoist</td>
<td>$130,868</td>
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<tr>
<td>Elliott Equipment Grandview, MO</td>
<td>2020 Freightliner w/ Galfab Hoist</td>
<td>$126,930</td>
</tr>
<tr>
<td></td>
<td>2020 International w/ Galfab Hoist</td>
<td>$130,047</td>
</tr>
<tr>
<td>Scheppers International Jefferson City, MO</td>
<td>2019 International w/ Amrep Hoist</td>
<td>$133,745</td>
</tr>
<tr>
<td>Truck Component Services Strafford, MO</td>
<td>2020 Freightliner w/ Amrep Hoist</td>
<td>$132,399</td>
</tr>
</tbody>
</table>

Item √
ITEM SUBJECT: Restroom at Buehler Park

TOTAL AMOUNT REQUESTED: $72,415
BUDGET APPROPRIATION (IF APPLICABLE) $90,000 DATE: Monday, Nov. 19, 2018

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COMMENTARY:

Buehler Park last had a permanent bathroom in 2004. Built in the 1960s in this park, as well as Ber Juan North, South, Green Acres and Schuman, the sandstone structures had run their course. Water and sewer lines had deteriorated. This was before Prop P and there was no funding to replace. Instead we have utilized temporary portables in this park, as well as other high usage parks. When we went to the citizens to ask for this financial support, we said this would be one of the usages. The need was confirmed at both our public open houses as permanent bathrooms in the major parks were one of our top priorities. This is also part of the next phase of the Buehler Park Master Plan approved by Council. With this purchase, the City will supply the concrete slab and we will have the sewer line and potable water line installed in the slab. We will also run electric to the building. Concrete slab, electric, water line, sewer line work is expected to be an additional $20,000 (included in the total amount requested). The company will deliver and place the building on the slab and will make final hook ups on sewer and water. This is precast concrete, pre-engineered/plant fabricated. Stainless steel fixtures. Comes with a one-year warranty on parts and labor. Below pricing includes bathroom cost only. The bid from CXT is the state bid, made available to all city government entities in Missouri. The other two companies were asked to provide quotes for comparable facilities. We have utilized RTI to do a bathroom in the parks but they are unavailable for this project due to their current work (still underway) on our shade structure/storage building at the tennis courts. Delivery is expected in six months.

<table>
<thead>
<tr>
<th>Company</th>
<th>Model</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>CXT Inc. 3808 N. Sullivan, Bldg 7</td>
<td>Cortez 2 room flush toilet precast concrete buildings</td>
<td>$52,415</td>
</tr>
<tr>
<td>Spokane, Wash 99216</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Green Flush Technologies 10308 SE 15th St</td>
<td>Durango II 2 room flush toilet Concrete block</td>
<td>$100,000</td>
</tr>
<tr>
<td>Vancouver, Wash 98664</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public Restroom Company 2587 Business Parkway Minden, NV 89423</td>
<td>PS-022-CE Playground series 2 room concrete block building</td>
<td>$137,500</td>
</tr>
</tbody>
</table>
Staff recommends approving the Missouri state bid from CTX of Spokane, Wash. Council approved this same structure earlier in this year for our Green Acres Park (pictured above) and it has been a positive addition to this park. Additionally, DNR purchases these units for State Parks and Conservation areas and they have proven to be strong units and as vandal proof as any building can be. There is also a CTX bathroom at the Doolittle I-44 exit. Parks Advisory Commission reviewed and approved proposal at the Oct. 10 meeting.
PROCLAMATION

WHEREAS: The City of Rolla, Missouri celebrates our local small businesses and the contributions they make to our local economy and community; according to the United States Small Business Administration, there are currently 28.8 million small businesses in the United States, they represent 99.7 percent of all businesses with employees in the United States, and are responsible for 63 percent of net new jobs created over the past 20 years; and

WHEREAS: small businesses employ 48 percent of the employees in the private sector in the United States and small businesses form the backbone of our local economy, generating jobs and improving the quality of life for citizens; and

WHEREAS: Rolla, Missouri issues some 1,220 business licenses each year and supports the efforts of local small businesses and recognizes the critical role they play in our community; and

WHEREAS: Small Business Saturday is a nationwide campaign to cultivate business for small merchants on the Saturday after Thanksgiving. Small Business Saturday will stimulate economic growth for merchants in our community; and

WHEREAS: Rolla, Missouri values its local businesses and celebrates the diversity of the goods and services they provide.

NOW, THEREFORE, I, Louis J. Magdits, IV, Mayor of the City of Rolla, Missouri, do hereby proclaim Saturday, November 24, 2018 as

"SMALL BUSINESS SATURDAY"

in the City of Rolla, Missouri, and I encourage all residents to recognize and support small businesses within our community by shopping at these establishments as a way to boost the local economy and strengthen our small business community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Rolla to be affixed this 19th Day of November In the Year of Our Lord, Two-Thousand Eighteen.

MAYOR